United Nations S/2016/1089

Security Council

Distr.: General
28 December 2016
English
Original: French

Letter dated 19 December 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the communiqué published by the current Chairperson of the African Union, Mr. Idriss Deby Itno, President of the Republic of Chad, in support of the decisions of the fiftieth ordinary session of the Conference of Heads of State and Government of the Economic Community of West African States, held in Abuja on 17 December 2016, with a view to ensuring a swift, orderly and peaceful handover of power to the new Gambian authorities (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Gorgui **Ciss**
Chargé d'affaires a.i.
Deputy Permanent Representative

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Annex to the letter dated 19 December 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council

[Original: English]

Press release

The current Chairman of the African Union expresses its full support to the summit decision of Economic Community of West African States for a speedy, orderly and peaceful transfer of power to the authorities in the Gambia

19 December 2016

The current Chairman of the African Union, Idriss Deby Itno, President of the Republic of Chad, continues to follow with close attention the developments in the post-electoral situation in the Gambia.

The current Chairman of the African Union, recalling the pronouncements made by the Peace and Security Council, on 6 and 12 December 2016, reaffirms the imperative need for an orderly and peaceful transfer of power to the President-elect of the Gambia, in line with the relevant provisions of the African Charter on Democracy, Elections and Governance.

The current Chairman of the African Union, once again, calls upon the outgoing President, Yahya Jammeh, to facilitate the smooth transfer of power to the newly elected President of the Gambia, Adama Barrow, as decided by the people of the country. He renews his call to the Gambian defence and security forces to strictly abide by the constitution and rule of law.

The current Chairman of the African Union, in this regard, congratulates the Economic Community of West African States (ECOWAS) for its principled stand with regard to the situation in the Gambia. He expresses the full support of the African Union for the decisions adopted by the fiftieth ordinary summit of the: ECOWAS Authority, held in Abuja on 17 December 2016, including the consideration to use all necessary means to ensure respect for the will of the people of the Gambia. He also commends the leadership and commitment demonstrated by Ellen Johnson-Sirleaf, Chairperson of the ECOWAS Authority and President of Liberia, aimed at ensuring a peaceful and orderly transfer of power in the Gambia.

The current Chairman of the African Union reaffirms the readiness of the African Union to pursue and intensify coordination efforts with ECOWAS and the United Nations, in order to facilitate the speedy and orderly transfer of power to the President-elect, including its full support for President Muhammadu Buhari, in its capacity as ECOWAS Mediator in the Gambia.

United Nations S/2016/1090

Security Council

Distr.: General
21 December 2016

Original: English

Letter dated 20 December 2016 from the Secretary-General addressed to the President of the Security Council

Developments over the past three years have demonstrated that the targeting of women, girls and boys for sexual violence that accompanies the rise of violent extremism is not ancillary or incidental, but widespread, systematic and integrally linked with the strategic objectives of violent extremist and terrorist groups. Today, there is global recognition and consensus that groups such as Islamic State in Iraq and the Levant (ISIL) and its affiliates are using sexual violence as a tactic of terrorism to advance their strategic and ideological objectives, a concern that I have highlighted in my latest two reports to the Security Council on conflict-related sexual violence (S/2015/203 and S/2016/361/Rev.1).

Pursuant to Security Council resolutions 1960 (2010), 2106 (2013), 2242 (2015) and 2253 (2015), the Office of my Special Representative on Sexual Violence in Conflict has prepared a special report focusing on crimes committed by ISIL in the context of Iraq and the Syrian Arab Republic, particularly their cross-border dimensions (see annex). It presents preliminary information that can serve to deepen the Council members' knowledge and understanding of the systematic use of sexual violence as a tactic of terrorism and its links to the sale and trade of and trafficking in persons. The report contains a number of recommendations, specifically to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as well as additional concluding observations that are relevant to other policy-level actors.

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

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OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL
ON SEXUAL VIOLENCE IN CONFLICT

SPECIAL REPORT OF THE OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY GENERAL ON SEXUAL VIOLENCE IN CONFLICT

Submission to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al Qaida and associated individuals, groups, undertakings and entities

DECEMBER 2016

I. Introduction

Developments over the course of the past three years have demonstrated that the targeting of women, girls and boys for sexual violence that accompanies the rise of violent extremism is not ancillary or incidental, but widespread, systematic and integrally linked with the strategic objectives of extremist groups.[1] There is today global recognition and consensus that violent extremist groups, like ISIL (Da'esh) and its affiliates, are using sexual violence as a tactic of terrorism to advance their strategic and ideological objectives.

The present submission by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (hereafter referred to as "the Office") is focused on crimes committed by ISIL in the context of Iraq/Syria, particularly their cross-border dimensions. In this regard, the Office has deepened its knowledge and analytical base through first-hand information collected from victims and witnesses of violations committed by this group. Specifically, the Office supported the deployment of a conflict-related sexual violence (CRSV) expert to the Middle East for a period of two months (from November 2015 to January 2016) in order to deepen the level of information, documentation and analysis of CRSV incidents, patterns and trends. This mission was undertaken as a follow-up to the scoping visit of the Special Representative of the Secretary-General on Sexual Violence in Conflict to the Middle East conducted in April 2015, in the framework of resolutions 1820 (2008), 1888 (2009), 1960 (2010) and 2106 (2013), which call for strengthened monitoring, analysis and reporting of CRSV. Special attention was given to the use of sexual violence by violent extremist groups as a tactic of terrorism, as presented in the last two annual Reports of the Secretary-General on Conflict-Related Sexual Violence, particularly in Section III on sexual violence committed in the context of violent extremism, including as a tactic of terrorism. The present submission draws upon information collected from primary and secondary sources throughout this mission, which enabled the Office to engage with a range of relevant interlocutors, including inter alia victims and witnesses; community members; religious and traditional leaders; international and local civil society; national authorities in Iraq and Syria; and UN system partners.

The present submission should be read in conjunction with the latest two Reports of the Secretary-General on Conflict-Related Sexual Violence (S/2016/361/Rev.1 and S/2015/203). It also builds upon the information reported by the Fact-Finding Mission deployed by the United Nations High Commissioner for Human Rights to Iraq in 2015 and the Independent Commission of Inquiry on the Syrian Arab

[1] *Report of the Secretary-General on Conflict-Related Sexual Violence, 23 March 2015 (S/2015/203), at para 53: "Sexual violence is not incidental, but integrally linked with the strategic objectives, ideology and funding of extremist groups. It is used to advance such tactical imperatives as recruitment; terrorizing populations into compliance; displacing communities from strategic areas; generating revenue through sex trafficking, the slave trade, ransoms, looting and the control of natural resources; torture to elicit intelligence; conversion and indoctrination through forced marriage; and to establish, alter or dissolve kinship ties that bind communities."*

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ON SEXUAL VIOLENCE IN CONFLICT

Republic in 2016, which shows that ISIL committed, and continues to commit to the present day, crimes of sexual violence and sexual slavery on an unprecedented scale against ethnic and religious minorities, including the Yazidi population of Northern Iraq.

The present submission does not purport to be comprehensive, but is rather illustrative and indicative, of the scale and character of violations by ISIL. The evidence supports further the contention that sexual violence by ISIL is premeditated, systematic and strategic, and is being used to increase their power and finances in a number of ways. As such, this information is directly relevant to the mandate and work of the 1267 Committee. Specifically, it presents preliminary information that can serve as a basis for the consideration of listing of individuals, and deepening knowledge and understanding of the systematic use of sexual violence as a tactic of terrorism and its links with the sale, trade and trafficking in persons. The report makes a number of recommendations specifically to the Committee, as well as some additional concluding observations/recommendations that are relevant to other policy level actors.

The submission aims to unpack and analyse the ways that sexual violence is used as a tactic of terrorism, focusing particularly on six specific dimensions, namely: 1) the use of sexual violence as part of the political economy of terrorism through the trafficking, sale, ransoming, and gifting (as a form of in-kind compensation) of women and children, providing a revenue stream for the financing of terrorism; 2) the use of sexual violence (i.e., the promise of "wives" and access to sex slaves) as a recruitment tool to attract fighters, including foreign terrorist fighters; 3) the exploitation of modern information and communication tools and technologies to sell women and children online for the purpose *inter alia* of sexual exploitation; 4) the instrumentalisation of medical professionals to perpetrate and facilitate sexual violence (including hormone injections to accelerate the physical maturation of girls, forced abortion of children conceived by "infidels", etc.); 5) the threat and use of sexual violence and abduction to terrorise and forcibly displace (both internally and to third countries) targeted minorities, to clear contested or strategically important territory and extend ISIL control; and 6) to ensure the destruction of targeted communities through family separation and attacking the shared values and social norms that define and cohere group identity, including across generations. It also includes names of 11 individuals allegedly responsible for perpetrating sexual violence or being instrumental in facilitating the sale, trade and trafficking of women, girls and boys in the context of Iraq and Syria.

The confidential annexes that accompany the present submission are organized in three parts: 1) Names and photographs of alleged perpetrators; 2) Documents that demonstrate how sexual violence is being institutionalised and codified by ISIL; and 3) Specific case information, which gives an indicative sense of the profile of victims, sales negotiations and prices. **It should be noted that for purposes of strict confidentiality some information in the annexes and through the narrative of the report has been redacted. The redacted details can be made available to the 1267 Committee in closed briefing, or at individual request of Committee members.**

It is important also to note that the information collected and presented in the present document echoes reports received from other settings where ISIL and Al Qaida affiliates operate, including Boko Haram in Nigeria and Al Shabab in Somalia. Therefore, it is anticipated that further monitoring, analysis and reporting will be required in order to inform the 1267 Committee and other relevant mechanisms of the Security Council.

II. Mandate basis for the present submission

This submission is presented pursuant to Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010), in which the Security Council expresses its intention to consider sanctions and other targeted measures against perpetrators of conflict-related sexual violence, requests cooperation and information

sharing between the mandate of the Special Representative on Sexual Violence and Conflict and Security Council Sanctions regimes, and calls for the inclusion of designation criteria for the imposition of sanctions pertaining to acts of rape and other forms of sexual violence. Resolution 1820 (2008) recognized that sexual violence is often used as a "tactic of war", which threatens international peace and security, and reaffirmed that such violence can constitute a war crime, crime against humanity and/or a constituent act of genocide.

Resolution 1960 (2010) specifically "calls upon all peacekeeping and other relevant United Nations missions and United Nations entities, in particular (…) the Special Representative of the Secretary General on Sexual Violence in Conflict, to share with relevant United Nations Security Council Sanctions Committees, including through relevant United Nations Security Council Sanction Committees' monitoring groups and groups of experts, all pertinent information about sexual violence".

Resolution 2106 (2013) "Urges existing sanctions committees, where within the scope of the relevant criteria for designation, and consistent with resolution 1960 (2010) to apply targeted sanctions against those who perpetrate and direct sexual violence in conflict, and reiterates its intention, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of serious sexual violence

In Resolution 2242 (2015), the Security Council "express[ed] deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups, used as a tactic of terrorism, and an instrument to increase their power through supporting financing, recruitment, and the destruction of communities, as described in the Secretary-General's Report on Sexual Violence in Conflict of 23 March 2015 (S/2015/203)."[2]

When the Security Council addressed terrorist financing in resolution 2253 (2015), and expanded its Al Qaida sanctions list to include ISIL and affiliated persons and groups, the Council "condemn[ed] in the strongest terms abductions of women and children by ISIL [and] express[ed] outrage at their exploitation and abuse, including rape, sexual violence, forced marriage, and enslavement by these entities."[3] Resolution 2253 also "encourag[ed] all State and non-state actors with evidence [of ISIL's exploitation and abuse] to bring it to the attention of the Council, along with any information that such human trafficking may support the perpetrators financially.[4] The Security Council further "not[ed] that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the [Sanctions] Committee."[5]

Additionally, in the Security Council's first Presidential Statement on human trafficking, adopted in December 2015, the Council stated that: "The Security Council deplores all acts of trafficking in persons undertaken by [ISIL], including of Yazidis, as well as all ISIL's violations of international humanitarian law and abuses of human rights […] for the purpose of sexual slavery, sexual exploitation and forced labor, which may contribute to the funding and sustainment of such groups, and underscores that certain acts associated with trafficking in persons in the context of armed conflict may constitute war crimes."[6]

[2] S/RES/2242 (2015), preamble.
[3] S/RES/2253 (2015), preamble.
[4] *Ibid.*
[5] *Ibid.*
[6] Security Council Presidential Statement, 16 December 2015 (PRST/2015/25).

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III. Sexual violence as a tactic of terrorism

As articulated in the 2015 and 2016 Reports of the Secretary-General on Conflict-Related Sexual Violence (S/2016/361/Rev.1 and S/2015/203) it is increasingly evident that sexual violence is among the core military, political, economic and ideological strategies or tactics employed by ISIL,[7] such as incentivizing **recruitment** through the promise of sexual access to women (i.e., "wives" and sex slaves for fighters); **financing** through the sale, trafficking, ransoming and gifting of women and girls; **advancing their ideology**, which includes the suppression of women's rights and freedoms, and the use of religious justifications for the revival of sexual slavery[8] and the taking of slaves and captives as part of the "spoils of war" in line with ancient practices and texts; **building and populating a so-called Islamic State** or Caliphate through the control of women's reproduction in order to give rise to a generation that can be groomed, indoctrinated and raised in their own image; **subjugating, controlling and forcibly displacing populations** from strategically important zones; and as a mean of **extracting operational information during interrogations**.

Furthermore, ISIL members flagrantly publicize these atrocities in order to institutionalize sexual violence and the brutalization of women and children as part of their policy. There is even evidence of so-called "marriage bureaux" being established in areas under their control, while publications and "fatwas" aimed at ISIL members and affiliates show how they have codified the systematic practice of taking sex slaves and institutionalized the use of sexual violence (including forced marriage and forced pregnancy) as part of their operations and nation-building enterprise (See supporting documents in Annex 2).

As an example, ISIL has consistently described the capture and enslavement of "infidel" women and children as an inevitable consequence of its conquest of new territory and seeks to regulate and codify sexual slavery, as expressed in its "fatwa" No. 64, of 29 January 2015. This is supported by the explicit justification of sexual enslavement articulated in its pamphlet of December 2014 entitled "Questions and answers on taking captives and slaves", and in volume 9 of its magazine, *Dabiq*, of May 2015, as well as in recent publications of its new magazine called *Rumiyah* (See Annex 2). The Office was able to substantiate and unpack the implications of this reasoning in discussions and interviews with survivors. One survivor reported, for example, that when she asked an ISIL fighter the reasons for his participation in tactics of separation of mothers from their children, followed by the rape of those women, he replied that he was only following orders and rules given by the Emirs, who, in turn, received them from Al Baghdadi. This confirmed that fighters consider sexual violence to be part of ISIL's broader policy. This both demonstrates command responsibility and also reinforces the evidence mentioned by the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/32/CRP.2) about the overall intent and criminal liability of ISIL's military commanders, fighters, religious and ideological leaders, wherever they are located.

The violations committed in this context entail the use of various forms of sexual violence, including rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion and forced marriage. The interviews conducted by the Office with survivors and witnesses refer particularly to the gifting, sale,

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7 The use of sexual violence as an act or tactic of terrorism is not an isolated phenomenon. The 2016 Report lists seven terrorist groups/networks credibly suspected of committing or being responsible for patterns of sexual violence in situations on the Security Council agenda including: ISIL/Da'esh, Ansar Eddine, AQIM, Al-Shabaab, Nusrah Front, Boko Haram, Ahrar al-Sham, and other armed groups operating in contested areas of Syria.

8 The revival of sexual slavery before the hour is, according to ISIL's ideology, a harbinger of the apocalypse and thus the ultimate recruiting tool for attracting jihadists from around the globe to join the "final battle" in Dabiq.

trade and trafficking of women and children among fighters and beyond for the purpose of sexual exploitation. It is also clear that ISIL employs different strategies against different targeted communities depending on their ethnic and religious identity (Christians, Yazidis, Turkmen Shia, etc.). It is a fact that most of the Yazidi women and girls who were abducted by ISIL were targeted for sexual violence crimes; there are allegations of sexual violence committed against 500-600 women and girls from the Turkmen Shia community who may still be in the hands of ISIL; while no reports of sexual violence have been received from the Christian community. This differentiation is based on the ideology of ISIL and how its members interpret Islam.

ISIL considers the Yazidis to be infidels and has publicly cited the Yazidis' faith as the basis for the attack of 3 August 2014 and subsequent abuses. ISIL has referred to the Yazidi as a "pagan minority [whose] existence [...] Muslims should question", adding that "their women could be enslaved [...] as spoils of war". For example, when ISIL invaded the Sinjar region of Iraq in August 2014, it specifically targeted and captured Yezidi civilians on the basis of their religion, and forcibly transferred them to multiple holding locations.9 At these locations, ISIL ordered the separation of Yezidi men and women, with the exception of boys who had not reached puberty who were allowed to remain with their mothers.10 Yezidi women and girls, below a certain age, were then subdivided into smaller groups of unmarried women, married women without children, and married women with children. These women and girls were individually recorded on lists.11 Many of the men and boys captured (as well as elderly women) were likely executed.12 Subsequently, Yezidi women and girls experienced several forcible transfers to sites in both Iraq and Syria,13 but all were eventually evaluated based on age, beauty, and virginity and then bought, sold, gifted, or even bequeathed and transferred by deceased ISIL fighters as part of their will or estate.14

Most of the information that the Office has been able to collect directly from victims and witnesses is related to the targeting of Yazidi women and children for sexual violence, which is reflected in the present submission. Despite different treatment depending on the age and marital status of the Yazidi victims, all of those who were sexually exploited were considered as slaves and as the "property" of the fighters, as evident in their inclusion in fighters' last will and testament, enabling them to be transferred once the fighter dies. One survivor reported to the Office that she had been transferred at least to 6 individuals over a period of 7 months.

Another disturbing trend reported by survivors is the way ISIL would punish women and children who would try to escape or refuse to abide by their demands, including sexual demands. They would face solitary confinement, torture, humiliation, restricted movements, separation from their children, and sometimes killing of their children through beating and poisoning.

The following section highlights a number of strategic dimensions and means that the Office found to be core to the widespread and systematic use of sexual violence by ISIL as a tactic of terrorism.

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9 See Syria Commission Report, para 43.
10 Ibid., para 30.
11 Ibid., para 43; OHCHR Report, paras 36–37.
12 Syria Commission Report, para 33.
13 Ibid., paras 49–50; OHCHR Report, para 36 (reporting one victim as being transferred to ten sites).
14 OHCHR Report, para 37; Syria Commission Report, para 62.

(a) Financing strategy to sustain the group

In the recent Reports of the Secretary-General on the Threat Posed by ISIL to International Peace and Security (S/2016/92 and S/2016/501), it was noted that trafficking of women and girls remained a critical component of the financial flows to ISIL and its affiliates. Tactics such as the ransoming and sale of women and girls to mobilize resources and fund operations are key to ISIL's strategy. Some survivors indicated that these payments were taking place in Syrian Lira, Iraqi Dinar and US Dollars. Indeed, ISIL has an intricate system for the regulation and sale of enslaved women. Captured women are sold to ISIL fighters in markets (both physical and electronic). Prices for enslaved Yezidi women range, according to the testimonies of survivors and "smugglers", from $20 to $25,000 US Dollars based on factors such as age, beauty and virginity. Women and girls are also gifted to fighters in lieu of payment as a form of in-kind compensation for services rendered to Da'esh. Beyond the financial calculations, the significance of the gifting of women and girls by commanders or Emirs to combatants under their command should not be underestimated as a way to maintain the motivation and 'esprit de corps' of fighting units. The specific cases included in Annex 3 provide an indicative sense of pricing and negotiations of sale through online forums.

(b) Recruitment strategy to attract new fighters

As noted in the latest Report of the Secretary-General on Conflict-Related Sexual Violence (S/2016/361/Rev.1), although the threat of sexual violence has been a "push" factor driving forced displacement of civilians, the offer of wives and sex slaves has been a strategic "pull" factor for the recruitment of men and boys, inducing both local youths and foreign fighters, to join ISIL's ranks. ISIL's recruitment propaganda includes the promise of access to women for young, single, economically marginalized men who seek status, power and sexual access that is not available in socially conservative contexts. ISIL's narrative includes the notion that it is the prerogative of their fighters to claim and capture women and girls as the "spoils of war". ISIL also has a large team of dedicated "online groomers" whose job it is to identify individuals who express an interest in the group on online forums. "Marriage bureaux" have been reportedly established in areas under ISIL control to encourage women to marry fighters.

(c) Use of information and communication tools to sell, trade or traffic women and children

In addition to being used for recruitment and the propagation of their ideology, communication platforms have been used by ISIL and its affiliates to secretly communicate through encrypted messaging and to sell women and girls through an online bidding process. ISIL has been using, in particular, an online encrypted messaging application called Telegram (See Annex 3). One of the features of Telegram is that it contains a secret chat whereby documents, videos, locations and images can be shared. The secret chat uses end-to-end encryption where only the sender and recipient can read the messages. Secret chat messages cannot be forwarded to others outside the conversation and no trace is left on their servers. When messages are deleted from one side of the conversation, the application on the other side of the secret chat will be ordered to delete them as well. Messages, photos, videos and files can be set to self-destruct in a set amount of time after they have been read or opened by the recipient. The message will then disappear from the device of the sender, as well as the recipient. All secret chats in Telegram are device-specific and are not subject to any sort of virtual "cloud" storage. This means a user can only access messages in a secret chat from their device of origin.

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Hidden among online "souks" or markets used to sell weapons, cars, suicide vests and other equipment, are markets for trading and selling women and children. These souks are "closed groups", which require a selection process with strict questions about ISIL as a form of verification to gain access. Once a person succeeds in the selection process, access is given to these souks by providing the new member with a code.

According to the Office's sources, there are a number of markets currently used to sell women and children[15]:

- The "Islamic state Mega mall" with about 500 members;
- The "Private souk for soldiers of the greater Caliphate" with about 200 members;
- The "Souk for weapons and supplies/munitions" with about 350 members;
- The "Monotheist Market" with about 50 members.

The Office received information indicating that ISIL fighters advertise pictures of very young girls and boys in these online markets. The pictures show girls dressed up and wearing make-up, seen in different positions. Prices are advertised on the pictures including additional information about the girl or boy. Once a picture is advertised, ISIL fighters can start bidding. Prices range from 3,000 USD to 20,000 USD. The younger the victim, the higher the bid. Pictures of little boys who are "considered not smart enough to memorize the Quran" in Madrassa Jihadia or are disabled are advertised in the Telegram app with the purpose to be sold as a slave and likely sexually abused. The Office received information that young boys from the age of 4-years-old are being sexually abused, and that attempts to buy back these children by the Yazidi community were often thwarted by factors such as insecurity, road closures during the handover of the money, arbitrary change of prices during the negotiations, etc.

These online markets complement the physical markets established in public places such as hospitals, police stations and prisons as well as in private places such as wedding halls and houses, where women and children are reportedly "selected and bought" by fighters and/or supporters of ISIL. There are also some indications related to the link with cross-border trafficking. For example, the Yezidi community networks with whom the Office is in contact, as well as survivors who have escaped ISIL captivity, allege that they know of women and girls captured by ISIL who have been trafficked outside the conflict zone to the wider region for the benefit of ISIL. The cross-border trafficking dimensions require deeper and more consistent investigation and monitoring, and international and regional cooperation.

(d) Instrumentalisation of medical doctors to facilitate sexual violence

ISIL has also used medical professionals to procure drugs and administer harmful treatments not justified by medical concerns, including hormone treatments to accelerate the physical maturation of young girls in order to expedite their sale and sexual exploitation, and drugging them to facilitate rape, thus making some physicians complicit in medicalized torture. Information shared by survivors refers to 5 girls who were forced to take hormones by a doctor. These hormones were given to make the girls appear older and to develop the bodies and breasts of adult women. The youngest of the 5 girls is said to be 12 years-old. Some doctors joined ISIL voluntarily, while others have been recruited under coercion. Their tasks also include carrying out virginity tests on women and girls and performing abortions.

[15] *Other markets for the sale, trade and trafficking of women, girls and boys may exist but have not been verified by the Office.*

In some cases, survivors indicated that doctors were offered women and girls for their "own use" as was reported in the case of an Iraqi doctor, known as Doctor [redacted] (Listed in Section IV) who has been reportedly receiving girls from ISIL. Another [redacted] doctor, called Doctor [redacted] (See Section IV), director of a clinic in Mosul, who reportedly lived with Doctor [redacted] in a house provided by ISIL, was allegedly bringing young girls to his home where he used to rape them.

Survivors also reported that ISIL fighters tried to prevent pregnancies either by providing pills or by giving injections, on a monthly or 3-monthly basis. Injections without explanation were common, causing some to become dizzy and others to lose consciousness. In some cases, the girls would stop getting their menstrual period following the injections. It is clear that avoiding pregnancies was meant to maintain the financial value of the girl or woman when sold on the market without children, but it also corroborates the intent to destroy the Yazidi community. With respect to avoiding pregnancy, survivors were assured that ISIL fighters would "take care of that". It was reported that ISIL fighters would endeavour not to ejaculate in the women during intercourse. In one case a survivor did not menstruate and was taken to a doctor who injected her with medication that caused a miscarriage. The use of unknown drugs, either to induce abortion or facilitate rape by rendering the victim more 'docile', is a critical consideration in terms of the health care for survivors in the aftermath of captivity.

IV. Profile of alleged perpetrators

There are many challenges associated with attempts to positively identify ISIL perpetrators. For instance, many of the names confirmed by the Office are "noms de guerre", by which militants are known to victims and witnesses. Survivors indicated that ISIL fighters would regularly change their pseudonyms as a strategy to confuse survivors and thereby protect their identities. Identification was further complicated by the fact that if women dared to stare at, or look directly in the eyes of an ISIL fighter, they would be beaten and brutalized. Nonetheless, some survivors memorized the names of ISIL fighters and sought to identify them by finding identity documents and providing pictures to the Office.

During their interviews, many survivors described women as playing a key role in the so-called Caliphate. This includes roles in the medical and educational fields, but also in the so-called "morality brigade." It is important to note that the survivors experienced difficulty in identifying the women involved due to the often numerous transfers they were subjected to, coupled with the fact that most of the female perpetrators were wearing traditional veils. Many survivors had limited Arabic language abilities and therefore were often unable to determine specific statements overheard during captivity.

In addition, it is important to note that security concerns continue to be raised for those survivors who have managed to escape or were released from captivity. In Germany, where a Special Quota Project for Especially Vulnerable Women and Children from Northern Iraq was initiated in January 2015 with more than 1000 Yazidis being hosted and supported, concerns have been expressed that between 6-8 girls are still having regular contact with ISIL fighters through the encrypted instant messaging tool, WhatsApp.

In extensive interviews with survivors they identified fighters involved in rape, sale or trade of women and girls from approximately 20 different countries, indicating that sexual violence crimes are part of ISIL's doctrine and widespread among fighters across different nationalities.

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The following information has been collected related to 11 individuals allegedly responsible for perpetrating sexual violence or being instrumental in facilitating the sale, trade and trafficking of women, girls and boys in the context of Iraq and Syria

Name: Emir[redacted]
AKA: [redacted]
Nationality: [redacted]
Location: Tel Afar, Iraq
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: Reports from survivors held in captivity, in Tel Afar, indicated that Emir[redacted] aka [redacted], originally from Mosul, was responsible for selling and buying Yazidis in Tel Afar. A group of married women described him as the person who executed the "fatwa" of 26 April 2015 that called for the separation of women from their children. They were initially spared from sexual violence until this "fatwa" was issued, after which their children were transferred to the madrassa Jihadia and they were allegedly subjected to sexual slavery.

Name: [redacted]
Nationality: [redacted]
Location: Kirkuk, previously Tel Afar, Iraq
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: [redacted] was the person responsible for the Madrassa Jihadia and Jihadia Institute in Tel Afar. This was the madrassa where, following the "fatwa" of 26 April 2015, children of female captives were removed so that their mothers could be used as sex slaves. In January 2016, [redacted] was reportedly accused of corruption and transferred on the order of the Sharia court to Kirkuk, where he was ordered to fight against the Peshmerga.

Name: [redacted]
AKA: [redacted]
Nationality: [redacted]
Location: Mosul, Iraq
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, for selling and transferring arms and related material to Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: A survivor held in captivity in Mosul indicated that the [redacted], whose real name is [redacted], was responsible for selling and buying girls in Mosul. He is second in command after [redacted] aka [redacted] [redacted] was also responsible for selling and buying cars and weapons. Subsequently, the survivor was informed that [redacted] may have been killed in an airstrike in August 2015.

Name: [redacted]
AKA: [redacted]
Nationality: [redacted]
Location: Tel Afar, Iraq and Raqqa, Syria
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: Survivors held in captivity in Raqqa indicated that the [redacted], whose real name is [redacted], was responsible for selling and buying girls in Tel Afar and Raqqa. He

wrote his name on the palm of the hand of a Yazidi girl as his property during the "burying" process.

Name: [redacted]
Nationality: [redacted]
Location: Raqqa, Syria
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: A survivor held in captivity in Raqqa indicated that the ISIL fighter [redacted] was responsible for trafficking young girls and women from Iraq to Syria, dividing them amongst his friends. Trafficking was not allowed to take place without his approval. He would periodically monitor the "trafficking business" in between fighting, visiting his official wife and raping his sex slaves. One of his rape victims recalled many phone calls overheard where he would give instructions where to transfer women and to whom they should be sold or gifted. He would also have instructed ISIL fighters what they should do to the girls. For instance, he once reportedly ordered that a group of 15 girls aged 9-10 years should be transferred to Raqqa and Mosul to be raped for half a day and then sold further.

Name/AKA: [redacted]
Nationality: [redacted]
Location: Raqqa, Syria
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: Survivors held in captivity in Raqqa indicated that the [redacted] was responsible for trafficking of girls in Raqqa. He was also head of a police station in Raqqa. The survivor described him as a man in his 60's.

Name: [redacted]
AKA: [redacted]
Nationality: [redacted]
Location: Iraq, in custody of Iraqi authorities
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: [redacted], also known as [redacted], was mentioned by a survivor for having sold many girls, with her husband [redacted], who was killed by American Special Forces in Iraq. The US filed a criminal complaint on 8 February 2016 against [redacted], who has been captured and is under arrest in Iraq, for providing material support and resources to a foreign terrorist organization which resulted in the death of a United States citizen, Ms. Kayla Jean Mueller. Even though the complaint chronicles extensive allegations of sexual violence, it seems that no charge regarding sexual violence on any basis has been levelled against [redacted] despite the role that she apparently played in planning and facilitating sexual slavery committed by ISIL.

Name/AKA: [redacted]
Nationality: [redacted]
Location: Mosul, Iraq and Tel Afar, Syria
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: [redacted] was the female perpetrator most frequently described by survivors as being involved with ISIL in Mosul and Tel Afar. Survivors could not give a description of her face as she was always covered in a burqa, nor could they confirm her real name. Survivors indicated that [redacted] was carrying out virginity tests and abortions at the request of ISIL. She would come to former schools, buildings or houses when survivors would lie to ISIL about their marital status. Survivors described her as a harsh person who did not hide her hatred of the Yazidis. The Office has been informed

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that [redacted] has defected from ISIL and returned to Kurdistan. It is not clear whether she has since been detained in Kurdistan.

Name: [redacted][16]
AKA: [redacted]
Nationality: [redacted]
Location: Raqqa, Syria
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, for recruiting for Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: [redacted] was described by a smuggler as a key perpetrator of sexual violence. Open sources reveal that [redacted] is also known as [redacted], a [redacted] girl from [redacted] who travelled to Syria and married an ISIL militant. Yazidis described her as someone who has influence and who is one of the confidants of Abu Bakr Al Baghdadi. She reportedly holds a position of power in Raqqa. Her husband is reportedly [redacted] who initiated the selling of girls from Mosul to Raqqa. According to one smuggler [redacted] was teaching Yazidi girls how to make and wear explosive suicide vests. She was also involved with the buying and selling of Yazidi girls [redacted] is currently listed by the Sanctions Committee for her actions as a recruiter for Daesh, however, it appears that no charge regarding sexual violence has yet been levelled against [redacted] despite the role that she may have played in sexual slavery committed by ISIL.

Name/AKA: [redacted]
Nationality: [redacted]
Location: Mosul, Iraq
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: Survivors indicated that doctors were offered women and girls for their "own use" as was reported in the case of an Iraqi doctor, known as [redacted], who has been reportedly receiving girls from ISIL. It is also alleged that [redacted] has been involved in performing a number of functions to aid and abet sexual violence, including administration of hormone injections and performing abortions.

Name/AKA: Doctor [redacted]
Nationality: [redacted]
Location: Mosul, Iraq
Basis for listing: Planning, facilitating, preparing and perpetrating acts or activities under the name of and in support of Daesh, and for otherwise supporting acts or activities of Daesh.
Statement of case: [redacted] a doctor and director of a clinic in Mosul, who reportedly lived with [redacted] in a house provided by ISIL, was reportedly bringing young girls to their home where he used to rape them. It is also alleged that [redacted] has been involved in performing a number of functions to aid and abet sexual violence, including administration of hormone injections and performing abortions.

16 Individual listed on 28 Sep. 2015 by the Committee (with the reference QDi.356) as a Recruiter for Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115), in the Syrian Arab Republic, and a key figure in the Al-Khanssaa brigade, a female ISIL brigade established in Al-Raqqa to enforce ISIL's interpretation of Sharia law.

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V. Recommendations Specific to the 1267 Committee

On the basis of the information and analysis of this report, as well as the last two Reports of the Secretary-General on Conflict-Related Sexual Violence (S/2016/361/Rev.1 and S/2015/203):

1. The Committee gives due consideration to ensuring that conflict-related sexual violence and trafficking in persons for the purpose of sexual violence/exploitation are explicitly included as a basis for listing, as well as in the narrative summary of reasons for listing, which is published on the Committee's website [17];

2. The Committee members give due consideration to proposing one or more of the individuals noted in Section IV of this report for listing/designation for sanctions by the Committee, and that the narrative summary of reasons for listing of individuals who may already be under sanctions by the Committee explicitly includes information on the use or facilitation of sexual violence;

3. Ensure that the Special Representative of the Secretary-General on Sexual Violence in Conflict is able to brief the sanctions committee and submit information relevant to the work of the Committee, including the names of alleged perpetrators for possible designation including individuals responsible for, or instrumental in, facilitating the sale, trade and trafficking of women, girls and boys;

4. Encourage cooperation and information sharing between the Office and the Monitoring Team of the 1267 Committee, and ensure that the Monitoring Team also dedicates some resources in monitoring, analysis and reporting to the Committee on key aspects of sexual violence used as a tactic of terrorism and links with trafficking in persons for the purpose of sexual violence and exploitation.

VI. Concluding observations and further policy recommendations

As per the estimate of the General Director of Yezidi Affairs at the Ministry of Religious Affairs and Endowment in the Kurdistan Region of Iraq, more than 1800 Yezidi women and girls remain enslaved by ISIL in territories under its control in Iraq and Syria. This figure does not account for the number of other women and girls from minority groups or otherwise who may have experienced sexual violence. Therefore, and in light of the current Mosul operation and possible future operations in Raqqa, it is all the more important to understand how ISIL is using sexual violence, ensure that any evidence is preserved, and that those who are liberated or who manage to escape are protected and receive the necessary health and psychosocial services.

Their situation is particularly precarious given reports of the use of women and girls as human shields, their transfer to various strategic locations including Syria and possibly Raqqa, for use as human shields

[17] *In practice, the criteria for adding a name to the ISIL (Da'esh) & Al-Qaida Sanctions List set out in paragraphs 3 to 5 of resolution 2253 (2015) does not include any explicit reference to trafficking in persons for the purpose of sexual violence/exploitation despite the recognition that "such human trafficking may support the perpetrators financially (...) and that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Committee" (S/RES/2253). It is only in the case of Boko Haram that the narrative summary of reasons for listing explicitly includes information on the use of sexual slavery, as follows: "On April 14, 2014, Boko Haram abducted approximately 300 girls from a school in northern Nigeria. Abubakar Mohammed Shekau claimed responsibility for the attack in a video released by Boko Haram and threatened to sell the girls into slavery."*

and/or for further trafficking. For example, threats have been reportedly made by ISIL to kill Yazidi women currently being held hostage, should Iraqi forces move closer.

The pattern of abducting families in Mosul is also a tool consistently used by ISIL since the beginning of the Mosul operation. Although there is no indication of the use of sexual violence in this context, the risk cannot be ruled out.

In the context of continued and acute vulnerability of civilians to sexual violence, the Office makes the following recommendations to the Security Council, other policy bodies and authorities:

1) Interviews with women or girls, about sexual violence should be conducted in an ethical manner in line with internationally agreed guidelines and standards. An important concern is that victims may be seen as an agent or affiliate of terrorist groups, or as a vital intelligence asset, instead of being seen as victims.

2) Medical care, including sexual and reproductive health care, as well as psychosocial support for victims of sexual violence must be assured and clear referral pathways established. Victims of sexual violence by terrorist groups should be recognized as victims of terrorism, in order to pave the way for them to access livelihood support, including reparations programmes.

3) A number of registration offices exist for missing persons, such as the Yazidi registration office in the Kurdistan region. Ensuring that these lists are updated and matched with those who have been liberated or escaped is essential, and coordination among these offices is important. It is also important to put in place a family tracing and reunification programme; including through the establishment of hotlines. Victims may have lost many family members and their homes. Interim/safe housing for these victims must be considered. Victim reintegration with surviving family members must be done safely and in an orderly process. Asylum processes abroad must also be considered.

4) Major evidentiary sites, noted in UN reporting, that may support the investigation and prosecution of ISIL members should be secured to the extent possible in light of the prevailing security situation. It will be important to be prepared to take photographic and other evidence of key sites. Evidence of genocide, crimes against humanity, and serious violations of international humanitarian law committed by ISIL (Da'esh) in the territory of Iraq or against Iraqi nationals will be key to ensuring that those responsible are held accountable in future judicial proceedings. It is important to note, in that context, that a Joint Communiqué between the Government of Iraq and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence was signed on 23 September 2016, emphasizing a number of priority actions including the need to ensure accountability for conflict-related sexual violence crimes committed by ISIL (Da'esh). Support of the international community to the implementation of the Joint Communiqué is therefore crucial.

5) It is important to ensure that in the course of the asylum process, survivors of conflict-related sexual violence are provided with access to adequate services including medical and psychosocial support in refugee receiving countries. It is important to recognize that refugees, and especially survivors of conflict-related sexual violence, were in many cases subjected to international crimes of the gravest concern, including war crimes, crimes against humanity and even acts of genocide. Member States receiving refugees have an obligation to ensure that allegations of sexual violence are duly investigated. This will secure information and evidence in a timely fashion for future accountability processes, whenever or wherever they might occur. Due consideration should be given to sexual violence crimes in the process of evaluating asylum claims and refugee status.

6) In the context of counter-terrorism and countering violent extremism initiatives, priority should also be placed on monitoring, tracking and disrupting the use of technological platforms and communications

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tools that are being used to facilitate the on-line sale, trade and trafficking of women, girls and boys for purposes of sexual slavery and exploitation

7) Efforts should also be made to engage more strategically and systematically with religious and traditional leaders to curb violent extremism, counter justification of sexual or other violence on religious grounds and addressing the stigmatization suffered by survivors of sexual violence and facilitating their return and reintegration in families and communities

8) Finally, for greater coherence we should ensure that National Action Plans on Women, Peace and Security, Comprehensive Strategies on Conflict-Related Sexual Violence and National Plans on Preventing Violent Extremism are well coordinated and cross-referenced.

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Annexes[18]

Annex 1. Photographs of alleged perpetrators.....2

Annex 2. Codification and institutionalization of sexual violence by Daesh

(a) ISIL price list for women and children.....3

(b) Official ISIL court document.....4

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(d) ISIL Fatwa No. 64 (Arabic and English translation).....6

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Annex 3. Cases

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(b) Case 2.....21

(c) Case 3.....24

(d) Case 4.....25

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[18] Classified: Not attached. Embargoed.

United Nations S/2016/1091

Security Council

Distr.: General
30 December 2016

Original: English

Letter dated 20 December 2016 from the Chair of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Rafael Dario **Ramírez Carreño**
Chair
Security Council Committee established pursuant
to resolution 1591 (2005) concerning the Sudan

16-21604 (E) 301216

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Report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Rafael Darío Ramírez Carreño (Bolivarian Republic of Venezuela) as Chair and the representatives of Senegal and Spain as Vice-Chairs.

II. Background

3. By its resolution 1556 (2004), the Security Council imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed, operating in the States of North Darfur, South Darfur and West Darfur in the Sudan. By its resolution 1591 (2005), the Council broadened the scope of the arms embargo to include all parties to the N'Djamena Ceasefire Agreement and any other belligerents in those States (subsequently confirmed, in resolution 2035 (2012), to also include the new States of East and Central Darfur). Exemptions to the measures were also included.

4. By its resolution 1591 (2005), the Security Council also established a committee to monitor the implementation of the arms embargo and the two additional measures, a travel ban and an asset freeze, imposed through the same resolution on individuals, to be designated by the Committee, on the basis of the criteria contained in the resolution. The Council, by its resolution 2035 (2012), subsequently extended the applicability of the designation criteria to entities. By its resolution 1672 (2006), the Council designated four individuals as subject to the travel ban and asset freeze.

5. The enforcement of the arms embargo was strengthened in resolution 1945 (2010), when the Security Council clarified the exemptions to that measure and made the sale or supply of arms and related materiel to the Sudan not prohibited by the embargo contingent upon the necessary end user documentation. The exemptions to the embargo were further updated in resolution 2035 (2012).

6. By its resolution 1769 (2007), the Security Council provided for an arms embargo monitoring aspect to the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). In its resolution 2228 (2015), the Council requested UNAMID to discontinue all other tasks not aligned to its revised strategic priorities, which did not include any reference to the above-mentioned monitoring role. The Council expressed deep concern over the proliferation of arms, in particular small arms and light weapons, and requested UNAMID to continue to cooperate in that context with the Panel of Experts on the Sudan in order to facilitate its work. The Council reiterated similar language in its resolution 2296 (2016).

7. The Panel of Experts, operating under the direction of the Committee, was established by the Security Council in its resolution 1591 (2005) to assist the Committee in monitoring the implementation of the measures and to act as a source of information for potential designations. The membership of the Panel, which initially consisted of four experts, was increased to five experts by the Council in its resolution 1713 (2006). The Panel's mandate was renewed most recently in resolution 2265 (2016).

8. Further background information on the Sudan sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

9. The Committee met four times in informal consultations, on 11 March, 19 April, 8 July and 28 October, and once in a formal meeting, on 16 December, in addition to conducting its work through written procedures.

10. During the informal consultations held on 11 March, the Committee received a briefing from the African Union-United Nations Joint Special Representative and Joint Chief Mediator for Darfur (via videoconference).

11. During the informal consultations held on 19 April, the Committee received a briefing from the Special Representative of the Secretary-General for Children and Armed Conflict.

12. During the informal consultations held on 8 July, the Committee received a briefing from the Special Representative of the Secretary-General on Sexual Violence in Conflict.

13. During the informal consultations held on 28 October, the Committee heard a presentation by the Panel of Experts on its work programme under resolution 2265 (2016).

14. At its eighth formal meeting, on 16 December, the Committee met representatives of the Sudan and countries in the region (Chad, Eritrea, Ethiopia, Libya and Uganda), pursuant to paragraph 3 (a) (vii) of resolution 1591 (2005), with the aim of further strengthening dialogue between the Committee and the invited delegations. The Panel of Experts also participated in the meeting.

15. Following each of the above-mentioned informal consultations, as well as the formal meeting, and in accordance with paragraph 1 (c) of the note by the President of the Security Council on the work of the subsidiary organs of the Security Council (S/2016/170), the Committee sent notes verbales to all Member States containing brief summaries of the informal consultations.

16. On 4 February, 4 May and 27 September, the Chair of the Committee briefed the Security Council during consultations on the activities of the Committee, pursuant to paragraph 3 (a) (iv) of resolution 1591 (2005).

17. In 2016, the Committee received two implementation reports from Member States.

18. On 5 February, the Committee sent a note verbale to all Member States in connection with the availability of any biometric data sets on the four listed individuals, for inclusion in the relevant INTERPOL-United Nations Security Council Special Notices, in follow-up to a recommendation made in the final report of the Panel of Experts (S/2016/805).

19. The Committee sent 20 letters to eight Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

20. Exemptions to the arms embargo are contained in paragraph 9 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005), subsequently updated in paragraph 8 (b) of resolution 1945 (2010) and paragraph 4 of resolution 2035 (2012).

21. Exemptions to the travel ban are contained in paragraph 3 (f) of resolution 1591 (2005) and exemptions to the asset freeze in paragraph 3 (g) of resolution 1591 (2005).

22. No exemption requests or notifications were received by the Committee during the period under review.

V. Sanctions list

23. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraph 3 (c) of resolution 1591 (2005). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

24. As at the end of the reporting period, there were four individuals on the sanctions list of the Committee.

VI. Panel of Experts

25. On 8 January and 9 March, in accordance with paragraph 3 of resolution 2200 (2015), the Panel of Experts provided quarterly updates to the Committee.

26. The final report submitted under paragraph 2 of resolution 2200 (2015) by the Panel was issued as a document of the Security Council on 22 September (S/2016/805).

27. On 7 October, following the adoption by the Security Council of resolution 2265 (2016), the Secretary-General appointed five individuals to serve on the Panel, with expertise in arms, finance, international humanitarian law, regional issues and transport and customs (see S/2016/852). The mandate of the Panel expires on 12 March 2017.

28. On 22 December, in accordance with paragraph 2 of resolution 2265 (2016), the Panel provided its final report to the Committee, which is expected to be

transmitted to the Security Council and issued as a document of the Council in January 2017.

29. The Panel conducted visits to Austria, Ethiopia, France, the Netherlands, South Sudan, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

30. In pursuance of its mandate, the Panel, through the Secretariat, sent 29 letters to Member States, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

31. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

32. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements.

33. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members in New York and assisting in the preparation of the Panel's final report in December.

34. The Panel of Experts participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat. On 8 and 9 December, the Division, in cooperation with United Nations system partners, conducted a workshop on investigative interview techniques for 19 experts from sanctions monitoring groups, teams and panels. Three members of the Panel participated therein.

35. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.

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Security Council

Distr.: General
21 December 2016

Original: English

Letter dated 20 December 2016 from the Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for 2016, as endorsed by the members of the Working Group.

I would be grateful if the present letter and the report could be circulated as a document of the Security Council.

(*Signed*) Ismael Abraão Gaspar **Martins**
Chair
Ad Hoc Working Group
on Conflict Prevention and Resolution in Africa

16-22703 (E) 231216

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Report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for 2016

I. Introduction

1. The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa is a subsidiary organ of the Security Council, established pursuant to the statement by the President of the Security Council of 31 January 2002 (S/PRST/2002/2), in which the Council recognized the need for adequate measures to prevent and resolve conflicts in Africa and indicated its intention to consider the establishment of an ad hoc working group to monitor the recommendations contained in the statement and to enhance coordination with the Economic and Social Council.

2. The present report of the Working Group covers the period from 1 January to 31 December 2016. The Ambassador and Permanent Representative of Angola to the United Nations, Ismael Abraão Gaspar Martins, was appointed Chair of the Working Group for a second one-year period ending 31 December 2016. The representative of Senegal served as Vice-Chair throughout the reporting period.

II. Activities of the Working Group in 2016

3. On 13 April 2016, the Working Group met to consider its activities for 2016 as proposed by the Chair and, following discussion, agreed to the proposed programme of work. Also on 13 April, the Working Group began consideration of how it could assist the Security Council in preparing for the tenth annual joint consultative meeting of the Security Council and the Peace and Security Council of the African Union, which would be hosted by the Security Council on the afternoon of 23 May 2016. An informal meeting of the two Councils was convened at the Permanent Mission of Egypt to the United Nations on the morning of 23 May. On 11 May, the Working Group held, at the Permanent Mission of Angola to the United Nations, a further exchange of views on the format, agendas and expected outcomes of the informal meeting and the tenth annual joint consultative meeting. It was agreed that the Chair of the Working Group would prepare an annotated agenda to facilitate further consultations among the members.

4. On 1 November 2016, the Working Group considered the topic "Improving the cooperation between the Peacebuilding Commission and the Security Council for sustaining peace in Africa" and heard briefings by the Vice-Chair of the Peacebuilding Commission, Olof Skoog (Sweden); the Permanent Observer of the African Union to the United Nations, Téte António; and the Assistant Secretary-General for Peacebuilding Support, Oscar Fernandez-Taranco. The members of the Peacebuilding Commission were also invited to attend the meeting.

5. The discussion allowed members of the Working Group to explore topics such as the relationship between the Peacebuilding Commission and the Security Council, the role of the Peacebuilding Commission in situations of transition from a peacekeeping mission; the relationship between the Peacebuilding Commission, the African Union and the Peace and Security Council of the African Union; and financial support to African Union-led activities and peace support operations.

III. Conclusions

6. During his tenure, the Chair placed significant emphasis on the work of the Peacebuilding Commission, as an essential part of the United Nations framework for the prevention of conflicts in Africa, and on the participation of the Permanent Observer of the African Union to the United Nations in order to promote joint analysis and sharing of experiences between the United Nations and the African Union.

7. The Working Group continues to play an essential role in preparing the annual joint consultative meetings of the Security Council and the Peace and Security Council of the African Union and should continue to facilitate the preparation of such meetings and follow up on the communiqués agreed upon by the two bodies.

8. The Working Group has served as a platform for fruitful exchanges on cooperation with the African Union on peacebuilding and sustaining peace, and is encouraged to continue to engage representatives and entities involved in peacebuilding issues and activities concerning Africa. Such interaction might be particularly relevant following the adoption of Security Council resolution 2282 (2016) on 27 April 2016.

9. In accordance with provisions of resolution 2282 (2016), in which the Security Council expresses its intention to regularly request, deliberate and draw upon the specific, strategic and targeted advice of the Peacebuilding Commission, and based on his two years of chairing experience, the Chair recommends that the annual programme of work of the Ad Hoc Working Group include topics relating to peacebuilding and sustaining peace. He further recommends that the incoming Chair of the Ad Hoc Working Group consult with relevant Secretariat entities and Member States before proposing the topics to be considered.

10. The Chair would like to express his personal gratitude and that of the delegation of Angola to the members of the Working Group for their collaboration and the support extended to him in the discharge of his mandate. The appreciation of the Chair is also extended to the Member States, organizations and individuals who greatly enriched the discussions of the Group.

11. Finally, the Chair thanks the Secretariat for its assistance in fulfilling the mandate of the Working Group and wishes his successor all the best in continuing the important work carried out by the Working Group.

United Nations S/2016/1093

Security Council

Distr.: General
21 December 2016

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Letter dated 21 December 2016 from the Secretary-General addressed to the President of the Security Council

It is my honour to transmit to you a detailed summary of the report of the United Nations Headquarters Board of Inquiry that I established to review and investigate the 19 September 2016 incident involving a United Nations-Syrian Arab Red Crescent humanitarian convoy in Urum al-Kubra (Big Orem), near the city of Aleppo, Syrian Arab Republic (see annex). As widely reported at the time, the convoy was delivering humanitarian assistance to a Syrian Arab Red Crescent compound for distribution to some 78,000 persons in the area when it came under fire, resulting in the death of at least 10 persons and the injury of at least 22 persons, and the destruction of vehicles and property.

The United Nations has a responsibility to determine to the best of its ability the facts and circumstances of incidents in which its personnel are injured or killed, or in which its assets are damaged or lost. It also investigates incidents that negatively affect its operations or activities. Furthermore, in this case, there appeared to be the possibility that a United Nations operation might have been deliberately targeted in a sustained attack. Therefore, in my capacity as the chief administrative officer of the Organization, I decided to establish a Board of Inquiry to investigate the incident.

The Board of Inquiry was established on 21 October 2016 and included experts in the conflict in the Syrian Arab Republic, humanitarian operations, international law, weapons systems and munitions. It was headed by Lieutenant-General (retired) Abhijit Guha. The first meeting of the Board was held in New York, on 31 October 2016. It conducted field visits from 10 to 25 November, on 1 December and from 5 to 9 December 2016. The Board was only able to conduct field visits in the Syrian Arab Republic from 5 to 9 December, given that the issuance of visas by the Government of the Syrian Arab Republic was only confirmed on 28 November. It was not permitted to visit the scene of the incident in Urum al-Kubra, as the Government had indicated that it was unable to ensure the safety of the Board members, given the ongoing military operations at that location.

The Board submitted its report to me, through the Deputy Secretary-General, on 16 December 2016.

As with all United Nations boards of inquiry, the Board's report is an internal document and is not for public release. It contains information that was shared with the Board in strict confidence. It also contains information, the disclosure of which

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could prejudice the security or proper conduct of the Organization's operations or activities. I am aware, however, that my decision to establish the Board of Inquiry has given rise to considerable interest. I have accordingly decided to release a summary of the Board's report, which is contained in the annex to the present letter. I would emphasize that this is the Secretariat's summary of the Board's report and that it has not been prepared or approved by the Board.

The attack in Urum al-Kubra on 19 September was yet another horrific episode of the tragedy in the Syrian Arab Republic. The Board concluded that the Syrian Arab Red Crescent compound in Urum al-Kubra was subject to an attack from the air by more than one aircraft and aircraft type. The Board noted that only aircraft operating as part of the forces of the international coalition forces and aircraft of the Russian Federation and of the Syrian Arab Air Force had the capabilities needed to carry out an attack of this kind. Given that no party had alleged the involvement of aircraft of the international coalition forces, the Board concluded that their involvement was highly unlikely.

The Board indicated that it had received reports that information existed to the effect that the Syrian Arab Air Force was highly likely to have perpetrated the attack. It did not have access to raw data that would have enabled it to reach a definitive conclusion on who carried out the attack. The Board also indicated that it did not have evidence to conclude that the incident was a deliberate attack on a humanitarian target.

We, and in particular the parties involved in the conflict, owe it to the courageous humanitarian workers who risk their lives every day to help those who are most in need in the midst of conflict to shed all possible light on what occurred on that fateful day in September and to ensure that anyone guilty of wrongdoing is held responsible.

It is of fundamental importance that humanitarian personnel and relief supplies are respected and protected in times of armed conflict. In that regard, I appeal to all parties to the conflict in the Syrian Arab Republic to do everything possible and to take all possible precautions to ensure that their military operations do not kill or injure humanitarian workers or damage or destroy humanitarian supplies.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

Annex

Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into the incident involving a relief operation to Urum al-Kubra, Syrian Arab Republic, on 19 September 2016

1. On 21 October 2016, I convened a United Nations Headquarters Board of Inquiry to review and investigate the incident that occurred in Urum al-Kubra (Big Orem), Syrian Arab Republic, on 19 September, which involved a relief operation conducted jointly by the United Nations and the Syrian Arab Red Crescent and which resulted in the death of and injuries to personnel of the Syrian Arab Red Crescent and other persons, as well as damage to objects used for the relief operation.

2. I appointed as head of the Board of Inquiry Lieutenant-General (retired) Abhijit Guha, a former military adviser in the Department of Peacekeeping Operations and member of the High-level Independent Panel on Peace Operations. The other Board members were Catherine Bragg, former Assistant Secretary-General for Humanitarian Affairs; Khawla Mattar, the Deputy Executive Secretary of the Economic and Social Commission for Western Asia and former Director of the Damascus Office of my Special Envoy for Syria; Leila Benkirane, former Chef de Cabinet at the United Nations Office at Geneva and former legal officer in the Office of Legal Affairs; and Jeremy Smith, a weapons specialist.

3. The Board held meetings in New York, Geneva, London, Ankara and Washington, D.C., in which it met with representatives of France, Iran (Islamic Republic of), the Russian Federation, the Syrian Arab Republic, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Board submitted to those States a standardized request for information on the military-related elements of the inquiry, such as air and ground operations in the vicinity of Urum al-Kubra at and around the time of the incident, and the civil-military coordination of the convoy, including measures taken to prevent or reduce the risk of attacks on humanitarian assets.

4. The Board was only able to conduct field visits in the Syrian Arab Republic from 5 to 9 December 2016, given that the issuance of visas by the Government of the Syrian Arab Republic was only confirmed on 28 November 2016. The Board travelled to Damascus, where it met with representatives of the Government of the Syrian Arab Republic, including the High Relief Committee, Syrian Arab Red Crescent Damascus and the United Nations country team. At the Embassy of the Russian Federation in Damascus, the Board also met with military officers from the Russian military airbase in Humaymim. In west Aleppo city, the Board met the Governor of Aleppo, members of the local relief committee and the commanding general of the Russian Reconciliation Centre in Humaymim. The Board also interviewed primary witnesses in west Aleppo. The Board was not permitted to visit the scene of the incident in Urum al-Kubra, as the Government had indicated that it was unable to ensure the safety of the Board members, given the ongoing military operations at that location. In that regard, the Board noted that, by then, 11 weeks had elapsed since the date of the incident, and at that point damaged vehicles had

been removed and some destroyed structures had been repaired or rebuilt. Subsequent actions had therefore adversely affected the integrity of the site of the incident and, consequently, the availability of physical evidence. A visit to the site therefore might not have yielded commensurate results. The Board accordingly developed alternative methods of evidence collection.

5. The Board met with the members of the High Negotiations Committee of the Syrian Revolutionary and Opposition Forces and the National Coalition of Syrian Revolutionary and Opposition Forces. The Board also met with representatives of armed opposition groups. It interviewed primary witnesses (eye witnesses) in Gaziantep and Reyhanli, Turkey.

6. The Board also collaborated with the Operational Satellite Applications Programme of the United Nations Institute for Training and Research, which provided technical capabilities to analyse satellite imagery and ground photography.

7. The Board used the following materials and methods to arrive at its findings: (a) satellite images; (b) over 370 photographs and videos; (c) interviews conducted by the Board of 16 persons who were either eye witnesses to the incident or who were in the vicinity of Urum al-Kubra on the evening of 19 September 2016; (d) interviews conducted by the Board of 19 secondary witnesses, including United Nations personnel and representatives of armed opposition groups; (e) information from Member States, including information on their air assets; (f) air tracks provided by the Government of the Syrian Arab Republic; (g) an oral briefing by the Government of the Syrian Arab Republic regarding their national investigation into the incident, which was ongoing, together with copies of autopsy reports; (h) information from the Syrian Arab Red Crescent; (i) documents from the United Nations country team; and (j) open-source information.

8. The Board declined to accept physical evidence, such as munitions remnants that were alleged to be from the site of the incident, given that the chain of custody for the items could not be established.

9. The Board placed great emphasis on evaluating each piece of data for the reliability of the source and credibility of the information. The Board's findings were based on information and evidence that was corroborated by more than one source. Materials received from Member States were used solely to corroborate material collected by the Board or to gain a better understanding of the situation on the ground. The Board did not base any of its findings solely on information provided by only one Member State.

Urum al-Kubra

10. The town of Urum al-Kubra is located approximately 15 kilometres west of Aleppo city. Its population was approximately 6,700 persons at the time of the incident. Residents considered Urum al-Kubra to be relatively safe in the context of the wider area and the Syrian conflict.

11. The Syrian Arab Red Crescent compound, the site of the incident, is located approximately 1.5 kilometres east of the town of Urum al-Kubra. It consists of mixed light industry and dwellings. The compound is located alongside highway 60, the primary road between Aleppo and Idlib. Highway 60 was one of the two primary lines of communication, the other being the M5 highway, which runs south to

Hamah and Homs, that could be used by armed opposition groups to move military materiel, equipment and personnel to front-line areas in Aleppo.

12. The Syrian Arab Red Crescent compound was well known as the main warehouse in the area and had been used consistently for the delivery and storage of humanitarian aid for distribution to Urum al-Kubra and other areas in the Atarib district. The last United Nations-Syrian Arab Red Crescent-International Committee of the Red Cross humanitarian operation to the area before the incident had taken place on 21 July 2016, when aid was delivered for some 50,000 beneficiaries.

13. On the date of the incident, Urum al-Kubra was under the control of armed opposition groups, with Jaysh al-Mujahidin being the predominant group in the area. The Board was informed that other groups, including Nur al-Din al-Zanki, also had a presence there. In addition, the Board received reports of a Jabhat al-Nusra presence in the area.

Convoy

14. Requests to deliver humanitarian aid to Urum al-Kubra from Government-controlled areas were consistently included in monthly requests to the Government. In the case of the convoy concerned, a request to deliver humanitarian aid to Urum al-Kubra was included in the inter-agency plan for the month of September that was submitted by the United Nations to the Ministry of Foreign Affairs of the Syrian Arab Republic. The intention was to bring items from Government-controlled west Aleppo, where the United Nations country team had its offices and supplies, to the Syrian Arab Red Crescent compound in Urum al-Kubra, from where it would be distributed to 78,000 beneficiaries in Urum al-Kubra and its surroundings; the aid was to be contributed by the International Organization for Migration, the Office of the United Nations High Commissioner for Refugees, the United Nations Population Fund, the United Nations Children's Fund, the World Food Programme and the World Health Organization; and the operation was to be coordinated by the Office for the Coordination of Humanitarian Affairs. The original intention was that the International Committee of the Red Cross would also participate, but it informed the United Nations shortly before 19 September 2016 that it could no longer take part, given that it did not have sufficient stocks in Aleppo.

15. Based on the initial approval for the convoy, as communicated by the Ministry of Foreign Affairs, contracts were entered into with two commercial entities to transport the supplies. The United Nations, in consultation with the Syrian Arab Red Crescent, then informed the Governor of Aleppo and the Ministry of Foreign Affairs of the implementation dates regarding the convoy. After approval of the dates, the Aleppo Security Committee of the Office of the Governor monitored the loading of the trucks from its commencement until its completion. The trucks were then sealed in the presence of the members of the Aleppo Security Committee. The Governor issued facilitation letters for the convoy to pass through Government-controlled checkpoints after the loading was completed. This was done just after midnight on 19 September 2016.

16. In areas under the control of armed opposition groups, the relevant branch of the Syrian Arab Red Crescent was responsible for obtaining assurances of safe passage for convoys from the armed opposition groups concerned and making the necessary arrangements with them. On 18 September 2016, the Syrian Arab Red

Crescent Aleppo informed the United Nations that its branch in Urum al-Kubra had obtained approval from Jaysh al-Mujahidin for the convoy to proceed. This was confirmed in writing during the course of the following morning.

17. The convoy, which consisted of a total of 31 trucks, left western Aleppo city in the morning on 19 September 2016. There were United Nations banners on the front and sides of each truck. The convoy was accompanied by a United Nations team and a team from the Syrian Arab Red Crescent Aleppo, until it reached the last security checkpoint in the Government-controlled area. The United Nations team then returned to its offices. It had originally been hoped that the team would be able to accompany the convoy to its destination. However, it was reported that the Governor of Aleppo had not given his approval for this and that it was then decided that the team should not proceed any further. The Board was informed that the Governor had twice verbally told the United Nations that its team could not proceed beyond the last Government checkpoint. The Governor and the Government of the Syrian Arab Republic both denied this.

18. The team from the Syrian Arab Red Crescent Aleppo then accompanied the convoy to the first checkpoint that was operated by armed opposition groups. From there, accompaniment of the convoy was handed over from the Syrian Arab Red Crescent Aleppo team to its Urum al-Kubra team, in the usual way.

19. From that checkpoint, the armed opposition group Jaysh al-Mujahidin provided an armed escort to the convoy to its destination at the Syrian Arab Red Crescent compound in Urum al-Kubra. The same armed group had been escorting similar humanitarian deliveries in Urum al-Kubra for the previous two years. It also informed and coordinated with other armed groups in the area.

20. The trucks and their cargo were inspected at all checkpoints.

21. The Board was informed that Jaysh al-Mujahidin had requested that the convoy move in groups of five, so that it would not block the flow of traffic on highway 60. When the first group of trucks arrived close to the second checkpoint that was operated by armed opposition groups, it was met by masked armed men who wanted to take some of the supplies on the convoy. A dispute followed between the men and the Syrian Arab Red Crescent Urum al-Kubra team. Following the dispute, three trucks were diverted by the armed men. One of the trucks was fully offloaded, while the remaining two were partially offloaded. The three trucks were then released and allowed to proceed to the compound in Urum al-Kubra.

22. As part of the deconfliction process, separate communications were sent to the Russian Federation and to the forces of the United States-led international coalition to counter Islamic State in Iraq and the Levant (international coalition forces) confirming the date of the mission, its route, GPS coordinates, the number of trucks and a map. Regular verbal and written updates were provided on the movement of the convoy.

23. The convoy arrived at the Syrian Arab Red Crescent compound in Urum al-Kubra at 1345 hours local time on 19 September 2016. The armed escort provided by Jaysh al-Mujahidin ended at that point, and responsibility for the security of the convoy passed to the local police, which had a station nearby. Offloading of the trucks then began.

24. The Board found that the United Nations had complied with all applicable procedures relating to the arrangement and movement of the convoy. In particular, it had sought and obtained all the necessary approvals from all levels of the Government of the Syrian Arab Republic and had coordinated all aspects of the operation with the representatives of the Government. Appropriate coordination had been carried out with the Syrian Arab Red Crescent and the necessary assurances for safe passage had been provided by the armed opposition groups in the area. All necessary deconfliction measures were also taken before, during and after the incident with all parties concerned.

25. The Board noted that it could not gain a full understanding of the coordination measures employed by the Syrian authorities and that it was not evident from the answers that it had received to its questions that the Syrian Arab Air Force was informed of the convoy.

26. The Board found that the convoy was purely humanitarian in nature and noted that there were no reports of any tampering with the trucks or the supplies other than the full or partial offloading of the three trucks that were diverted.

Attack

27. The Board found that, between 1915 and 1945 hours local time on 19 September 2016, the Syrian Arab Red Crescent compound was subject to an attack from the air, with multiple types of munitions deployed from more than one aircraft and aircraft type. The munitions used included non-precision unitary bombs and/or smaller blast-incendiary air-to-ground weapons, which could have been missiles, rockets or sub-munition bomblets. The primary evidence for this conclusion came from an analysis of satellite and ground imagery, videos and eyewitness statements. Corroboration came from information provided by Member States and witness interviews, as well as open-source research conducted by the Board.

28. In reaching this conclusion, the Board considered and rejected the possibilities that the incident had been caused by direct fire or ground assault, either by Government forces or by armed opposition groups, or by ground-delivered improvised explosive devices, or by indirect fire, either by Government forces or by armed opposition groups. It also considered and rejected the possibility that it was a staged event or a hoax.

29. A total of eight possible major impact points within and near the compound were identified by the Board, with further multiple smaller impacts to the northwest. The southwestern, southern and eastern walls of the compound were damaged and buildings had collapsed. Extensive damage had also been done to a wall on the opposite side of highway 60.

30. The Board found that 17 trucks from the convoy had been involved in the incident. Eight of them showed significant fire damage, some having been completely consumed. A car identified by witnesses as the one used by the Head of the Syrian Arab Red Crescent Urum al-Kubra had also been involved in the incident and was heavily damaged.

31. At least 10 individuals died, including five drivers who had been part of the convoy and the head of the Syrian Arab Red Crescent Urum al-Kubra. At least 22 individuals were injured, including a further five drivers.

32. Most of the humanitarian supplies carried by the convoy were damaged or destroyed in the incident, with the losses of the United Nations country team totalling almost $650,000. A further $96,000 of supplies was lost to the masked armed men who diverted three of the trucks. The Board was not provided with any information on the value of the losses sustained by the Syrian Arab Red Crescent or by the contractors whose vehicles had been destroyed or damaged.

33. Initial reports that a medical clinic had been destroyed notwithstanding, the Board found no evidence of a medical clinic neighbouring the Syrian Arab Red Crescent compound.

34. The Board noted that it was possible that three other buildings, within 1,500 metres of the Syrian Arab Red Crescent compound, were also damaged on the evening of 19 September 2016. One of them was 400 metres from the compound.

Attributability of the incident

35. The Board found that, while the incident was caused by an air attack, it was not possible to identify the perpetrator or perpetrators.

36. The area immediately around the Syrian Arab Red Crescent compound had been hit on at least two occasions in the period between 26 June and 1 September 2016, with two separate groups of buildings, located between 55 and 140 metres away, having been attacked, most likely from the air. The Board considered that the location of the compound, on the outskirts of a populated area, in an industrial zone and astride one of the two primary roads leading to southwestern Aleppo, made it a realistic possibility that the buildings around it were used by armed opposition groups prior to the date of the incident. The Board therefore considered that it had most likely been attacked by pro-Government forces.

37. The Board noted that aircraft operating as part of the forces of the international coalition forces and aircraft of the Russian Federation and of the Syrian Arab Air Force all had the capabilities needed to carry out an attack of the kind that had occurred on 19 September 2016, including at night. Armed opposition groups did not have the capability to carry out air attacks.

38. The Board also noted that no party had alleged the involvement of aircraft of the international coalition forces and, as such, their involvement was highly unlikely.

39. The Board indicated that it had received reports that information existed to the effect that the Syrian Arab Air Force was highly likely to have perpetrated the attack and, furthermore, that the attack had been carried out by three Syrian Mi-17 model helicopters, followed by three unnamed fixed-wing aircraft, with a single Russian aircraft also suspected of being involved. However, the Board did not have access to raw data to support those assertions and, in the absence of such data, it was unable to draw a definitive conclusion. Moreover, the Governments of both the Russian Federation and the Syrian Arab Republic denied all allegations of their involvement in the incident.

40. The Board noted in this connection that there were technical issues pertaining to a hypothesis of the incident having been a result of a joint Syrian Arab Air Force-Russian Federation strike. The Board was informed that that the Russian Federation did not conduct joint strikes. A high degree of interoperability and coordination would be required for two air forces to operate in the same airspace, targeting the same location.

41. The Board reviewed an excerpt of video footage, purported to be from an unmanned aerial vehicle, showing an armed opposition group vehicle towing what was claimed to be a heavy weapon alongside the convoy. In the video, the convoy appeared to be stationary, parked on a dual-carriageway road. The recording paused as the vehicle was alongside the convoy in the village of Khan al-Assal, more than 6 kilometres east of the site of the incident site. However, in the absence of any other corroborating evidence, the Board indicated that it could not find any material link with the incident.

42. The Board indicated that it did not have evidence to conclude that the incident was a deliberate attack on a humanitarian target.

Other conclusions

43. The Board noted that, while humanitarian convoys, by their very nature, operate in circumstances that expose them to a significant degree of danger, the United Nations had complied with all applicable procedures, protocols, rules and regulations to mitigate them.

44. The Board also noted that it had faced several constraints, in particular the limited time available to it to investigate the incident, as well as with regard to the integrity of the site after the incident and access to all pertinent information. Member States were at times also constrained in their capacity to provide the level of detail that the Board required, given that they had insufficient time to declassify information to provide to the Board as evidence.

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Security Council

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Letter dated 21 December 2016 from the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1718 (2006), containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Román **Oyarzun Marchesi**
Chair
Security Council Committee established
pursuant to resolution 1718 (2006)

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Report of the Security Council Committee established pursuant to resolution 1718 (2006)

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1718 (2006) covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Román Oyarzun Marchesi (Spain) as Chair and the representatives of Egypt and Ukraine as Vice-Chairs.

II. Background

3. In response to nuclear tests and launches conducted by the Democratic People's Republic of Korea that used ballistic missile technology, the Security Council has adopted six resolutions in which it imposed and/or strengthened various sanctions on that country: resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016). The measures include an arms embargo, an embargo relating to nuclear, ballistic missile and other weapons of mass destruction programmes, sectoral bans on coal, minerals and fuel, a ban on the export of luxury goods, a travel ban and/or asset freeze on designated individuals and entities, a ban on the provision of financial services, a ban on specialized teaching and training in disciplines that could contribute to prohibited activities and programmes, cargo inspection and maritime procedures and a binding annual cap on the total export of coal originating in the country. Exemptions to some of the specific measures are also provided for.

4. The Security Council Committee established pursuant to resolution 1718 (2006) is mandated to oversee the implementation of the measures, examine and take appropriate action regarding alleged sanctions violations and make recommendations to strengthen the effectiveness of the measures.

5. A panel of experts, established pursuant to resolution 1874 (2009), acts under the direction of and assists the Committee to implement its mandate to monitor, promote and facilitate the implementation of the measures imposed in the resolutions.

6. The membership of the Panel of Experts initially consisted of seven experts, but was increased to eight experts under resolution 2094 (2013). The mandate of the Panel was renewed most recently by the Security Council in its resolution 2276 (2016).

7. Further background information on the Democratic People's Republic of Korea sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

8. The Committee met four times in informal consultations, on 19 February, 31 March, 15 June and 26 August, in addition to conducting its work through written procedures. The Committee also convened an open briefing on 16 March.

9. During the informal consultations held on 19 February, the Committee heard a presentation by the Panel of Experts on its final report (S/2016/157), submitted pursuant to paragraph 2 of resolution 2207 (2015), and discussed the recommendations contained therein.

10. During the informal consultations held on 31 March, the Committee discussed the continuing violations of resolution 2270 (2016) by the Democratic People's Republic of Korea, the obligations by Member States to report on their implementation of the relevant Security Council resolutions and the requests for guidance from both Member States and international organizations in implementing resolution 2270 (2016).

11. During the informal consultations held on 15 June, the Committee discussed the continuing violations of resolution 2270 (2016) by the Democratic People's Republic of Korea and the recommendations contained in the final reports for 2015 and 2016 of the Panel of Experts (S/2015/131 and S/2016/157), in addition to updating and reviewing the sanctions list maintained by the Committee.

12. During the informal consultations held on 26 August, the Committee received a briefing by the Coordinator of the Panel of Experts on the Panel's midterm report, submitted pursuant to paragraph 2 of resolution 2276 (2016), and discussed the letters received from a number of Member States regarding the continuing violations of resolution 2270 (2016) by the Democratic People's Republic of Korea.

13. On 25 February, 4 May, 30 August and 30 November, the Chair of the Committee briefed the Security Council during consultations on the activities of the Committee, pursuant to paragraph 12 (g) of resolution 1718 (2006).

14. The Committee received 73 reports from Member States on the implementation of resolution 2270 (2016) and 3 reports on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).

15. The Committee received 18 reports from Member States of alleged violations concerning measures imposed by the Security Council, comprising 15 letters on the nuclear tests and ballistic missile launches by the Democratic People's Republic of Korea and 3 letters on the interdiction of shipments from that country that were suspected to be in violation of the relevant Council resolutions.

16. On 21 March, the Committee decided that four vessels specified in annex III to resolution 2270 (2016) were not economic resources controlled or operated by a designated entity on the Committee's sanctions list and therefore not subject to the asset freeze imposed under paragraph 8 (d) of resolution 1718 (2006). The Committee sent a note verbale to all Member States on 22 March concerning its decision.

17. On 4 April, in accordance with paragraph 25 of resolution 2270 (2016), the Committee submitted to the Security Council a report (S/2016/308) in which it

updated the list of weapons of mass destruction-related items, materials, equipment, goods and technology to be identified and designated as sensitive goods pursuant to resolution 2270 (2016).

18. On 16 December, in accordance with paragraph 7 of resolution 2321 (2016), the Committee submitted to the Security Council a report (S/2016/1069) conveying a new conventional arms dual-use list that it had adopted on 15 December.

19. On 17 December, the Committee decided that five vessels specified in annex III to resolution 2270 (2016) were not economic resources controlled or operated by a designated entity on the Committee's sanctions list and therefore not subject to the asset freeze imposed in paragraph 8 (d) of resolution 1718 (2006). The Committee sent a note verbale to all Member States on 19 December concerning this decision.

20. Following the adoption of resolution 2270 (2016) by the Security Council on 2 March, the Committee updated a number of its documents, including three of its implementation assistance notices and the fact sheet on measures imposed under the relevant resolutions. On 25 May, the Committee sent a note verbale to all Member States conveying an updated version of its Implementation Assistance Notice No. 2, on guidelines on the preparation and submission of national implementation reports, together with an optional checklist template for measures contained in Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) relevant to national implementation reports submitted by Member States.

21. The Committee continued to assist Member States and international organizations in implementing their obligations under the relevant Security Council resolutions. On 16 March, the Committee held an open briefing, at which the Chair provided an overview of the new measures imposed under resolution 2270 (2016) and informed Member States about the mandate and activities of the Committee and how it could assist them in carrying out their obligations under the relevant resolutions. On 8 April, the Committee wrote to international organizations to convey the statement and presentation delivered at the open briefing in order to inform them about the mandate and activities of the Committee and to assist them in carrying out their obligations under the relevant resolutions.

22. The Committee received letters from several United Nations entities requesting confirmation that their engagement with the Democratic People's Republic of Korea, including proposals to provide technical assistance to the country, did not contravene the sanctions regime. The Committee positively responded to those requests, recalling the obligations under the relevant Security Council resolutions.

23. The Committee sent 178 communications to 130 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

24. Exemptions to the arms embargo are contained in paragraph 10 of resolution 1874 (2009) and paragraph 8 of resolution 2270 (2016).

25. Exemptions to the asset freeze are contained in paragraph 9 of resolution 1718 (2006) and paragraph 32 of resolution 2270 (2016).

26. Exemptions to the travel ban are contained in paragraph 10 of resolution 1718 (2006) and paragraph 10 of resolution 2094 (2013).

27. Exemptions relating to the provision of bunkering services are contained in paragraph 17 of resolution 1874 (2009).

28. Exemptions relating to proliferation networks are contained in paragraphs 13 and 14 of resolution 2270 (2016).

29. Exemptions relating to interdiction and transportation measures are contained in paragraph 21 of resolution 2270 (2016) and paragraphs 8, 9 and 22 of resolution 2321 (2016).

30. Exemptions relating to the coal ban are contained in paragraph 26 of resolution 2321 (2016) and exemptions relating to the fuel ban (aviation, rocket and jet fuel) are contained in paragraph 31 of resolution 2270 (2016).

31. Exemptions relating to scientific and technical cooperation are contained in paragraph 11 of resolution 2321 (2016).

32. Exemptions relating to financial measures are contained in paragraph 19 of resolution 1874 (2009), paragraph 33 of resolution 2270 (2016) and paragraphs 31 to 33 of resolution 2321 (2016).

33. Exemptions relating to statues and new helicopters and vessels are contained in paragraphs 29 and 30 of resolution 2321 (2016).

34. The Committee approved two requests from a Member State for an exemption from the correspondent account prohibition set out in paragraphs 33 and 35 of resolution 2270 (2016), and another request from the United Nations Development Programme, on behalf of the United Nations system, to establish and maintain a correspondent relationship with a bank in the Democratic People's Republic of Korea, in accordance with paragraph 33 of resolution 2270 (2016).

V. Sanctions list

35. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraphs 8 (d) and (e) of resolution 1718 (2006), paragraph 12 of resolution 2087 (2013) and paragraph 27 of resolution 2094 (2013). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

36. As at the end of the reporting period, there were 39 individuals and 42 entities on the sanctions list of the Committee.

VI. Panel of Experts

37. On 19 January, in accordance with paragraph 2 of resolution 2207 (2015), the Panel of Experts provided its final report to the Committee, which was transmitted to the Security Council on 22 February and issued as a document of the Council (S/2016/157).

38. On 8 April, following the adoption by the Security Council of resolution 2276 (2016) on 24 March, the Secretary-General appointed eight individuals to the Panel, with expertise in missile technology, nuclear issues, air transport, customs and export controls, weapons of mass destruction, arms control and non-proliferation policy, finance, maritime transport and other weapons of mass destruction and conventional arms (see S/2016/333). The mandate of the Panel expires on 24 April 2017.

39. On 10 May, in accordance with paragraph 3 of resolution 2276 (2016), the Panel presented its programme of work to the Committee. On 28 July, in accordance with paragraph 2 of resolution 2276 (2016), the Panel provided its midterm report to the Committee, which was transmitted to the Security Council on 29 August.

40. The Panel conducted visits to Angola, Bahrain, China, Egypt, France, Japan, Luxembourg, Malaysia, Mexico, the Republic of Korea, the Russian Federation, Singapore, South Africa, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Panel also held informal consultations with government officials and national experts of Member States and with representatives of several international organizations and entities, such as the Financial Action Task Force, the International Astronautical Federation and the Congressional Research Service. It also participated in relevant international meetings, conferences, workshops and seminars.

41. In pursuance of its mandate, the Panel, through the Secretariat, sent 1,068 letters to Member States, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

42. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

43. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements.

44. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members and assisting in the preparation of the Panel's midterm report in August and during the preparation of its final report in December.

45. The Panel of Experts participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat. On 8 and 9 December, the Division, in cooperation with United Nations system

partners, conducted a workshop on investigative interview techniques for 19 experts from sanctions monitoring groups, teams and panels. Two members of the Panel participated therein.

46. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the Committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.

47. In paragraph 42 of resolution 2321 (2016), the Security Council requested the Secretary-General to provide the additional administrative and analytical support resources needed to increase the capacity of the Panel of Experts. The Secretariat has begun planning and to take the necessary administrative steps in that regard.

United Nations S/2016/1095

Security Council

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Report of the Secretary-General on the United Nations Mission in Colombia

I. Introduction

1. The present report is the first 90-day report on the implementation of the mandate of the United Nations Mission in Colombia. The Mission's ceasefire monitoring and verification responsibilities were activated, in accordance with Security Council resolution 2261 (2016), following the signing, in Cartagena, Colombia, on 26 September 2016, of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace. Much has transpired in that short period to both challenge and ultimately reaffirm the peace process. The present report is focused, in particular, on developments since my letter dated 26 October 2016 addressed to the President of the Council (S/2016/902). In that letter, I requested that the Council authorize the Mission to verify the implementation of the ceasefire protocol signed on 13 October 2016 until a new final agreement had been reached by the Government of Colombia and the Revolutionary Armed Forces of Colombia — People's Army (FARC-EP). As the period concludes, and as noted in my letter dated 14 December 2016 to the President of the Council (S/2016/1063), a new peace agreement has now been signed and ratified and has entered into force, signalling the beginning of peace implementation in Colombia and paving the way for the Mission to carry out the full range of its mandated tasks.

II. Major developments in the peace process

2. The narrow victory of the "No" vote in the plebiscite of 2 October 2016 made it legally impossible for the Government of the President, Juan Manuel Santos Calderón, to implement the agreement signed in Cartagena. Although that result opened a period of uncertainty in the peace process, all Colombian political actors, including those opposed to the agreement, underscored their commitment to the attainment of peace through dialogue and the preservation of the ceasefire and their support for the verification role of the Mission. Large public mobilizations in favour of peace were held throughout Colombia in the weeks following the plebiscite.

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A. Protocol of 13 October

3. Immediately after the results of the plebiscite had been made known, the President and the leader of FARC-EP, Timoleón Jiménez, reiterated their commitment to the bilateral and definitive ceasefire and cessation of hostilities declared by both parties on 29 August 2016.

4. On 3 October 2016, the Government's chief negotiator, Humberto de la Calle, and the Colombian High Commissioner for Peace, Sergio Jaramillo, travelled to Havana for discussions with the FARC-EP leadership. My Special Representative for Colombia joined the parties for consultations. Those discussions culminated in a joint communiqué, issued on 7 October 2016, in which the parties agreed to make adjustments to the agreement following a government-led political dialogue with various Colombian sectors, including promoters of the "No" vote in the plebiscite of 2 October. The parties also agreed to develop a temporary protocol to consolidate the ceasefire by establishing a clear separation of forces and defining the rules to be observed by both sides. In the communiqué, the parties requested the Security Council to authorize the Mission to verify the ceasefire protocol as the international component and coordinator of a tripartite monitoring and verification mechanism, in line with the mandated tasks set for the Mission in resolution 2261 (2016), except for the verification of the laying down of arms by FARC-EP, which would be undertaken following the adoption of a new agreement.

5. On 13 October 2016, the parties signed a ceasefire protocol, developed during the course of discussions in which my Special Representative and the Mission's Chief Observer participated. It outlined a transitional separation of forces to last until a new agreement was concluded. In it, the parties called for FARC-EP to locate its forces in temporary pre-grouping points and the Colombian armed forces to redeploy their units to ensure a minimum distance of 3 km between them and FARC-EP camps located at the points. The Government agreed to bear responsibility for providing logistical support to the points beginning 30 days after the signing of the protocol. The protocol also contained rules of behaviour for the parties designed to avoid the possibility of armed confrontation and threats of violence or risk to the civilian population.

6. The tasks of the Mission with regard to verification of the protocol were to organize the operations of the mechanism, taking into account the coordination of tasks, threat analysis and logistical requirements; to monitor and visit FARC-EP camps; to monitor the security zones and visit redeployed army units; and to visit neighbouring population centres in order to interact with the local population and authorities.

B. National dialogue

7. In the meantime, the search for a new peace agreement involved talks between the Government and FARC-EP in Havana, and a "national dialogue for union and reconciliation" in Bogotá, led by the President, and involving discussions with various sectors, including leaders of the "No" campaign.

8. The national dialogue gathered proposals throughout October 2016 from various sectors with regard to adjustments to the agreement signed in Cartagena. The dialogue included contact with opponents and supporters of the agreement, churches, victims' associations and civil society organizations. On 5 November, the President indicated that the Government had received more than 500 proposed amendments. The Supreme Court also suggested modifications to provisions regarding the transitional justice framework.

9. On 7 October, the Nobel Peace Prize was awarded to the President for his determined efforts to bring an end to the long-standing armed conflict. That decision gave further impetus to efforts to conclude a new peace agreement.

10. Following weeks of discussions in Bogotá and Havana, delegations of the Government and FARC-EP reached a new peace agreement in Havana on 12 November, which was later signed in Bogotá on 24 November. They stressed that it incorporated changes and contributions provided by diverse groups participating in the national dialogue. The parties invited all Colombians and the international community to accompany and support the new peace agreement and its prompt implementation.

C. New peace agreement

11. The new peace agreement includes changes and clarifications in relation to the previous text. While its conclusion was widely welcomed, opponents continued to insist on tougher sentences for FARC-EP leaders responsible for grave crimes and their ineligibility for elected political office until they complied with the sanctions imposed by the special jurisdiction for peace. The parties did not concede on those points, insisting that it would be unrealistic to expect guerrilla leaders to negotiate their own incarceration and reiterating that the essence of a political settlement was to ensure that the armed group was able to make the transition from armed conflict to politics.

12. The new peace agreement does not include changes to the chapter on verification of the ceasefire, the cessation of hostilities and the laying down of arms, which has not been the subject of commentary or critique by the opponents to the agreement signed in September. The functions of the Mission remain unchanged and in line with the provisions of resolutions 2261 (2016) and 2307 (2016). The new text indicates, as did the previous one, that the parties will request a General Assembly mandate for a follow-on United Nations political mission to verify the commitments regarding the process of the reintegration of FARC-EP elements into civilian life and the implementation of personal and collective security measures. The new peace agreement also provides a role for that political mission to supervise compliance with sentences imposed by the special jurisdiction for peace, in coordination with the Office of the United Nations High Commissioner for Human Rights. In addition, the new peace agreement expands the role of United Nations agencies, funds and programmes in support of its implementation.

13. Both parties to the peace agreement agreed that its ratification would be effected through Congress. Shortly after the signing, both chambers of Congress overwhelmingly ratified it. The parties agreed that 1 December 2016 would be

considered "D-Day", marking the beginning of the timetable of action by the Government and FARC-EP leading to the grouping of FARC-EP combatants and militias in 27 transitional local zones and points for normalization where the laying down of arms would take place. Nevertheless, preparatory work for that grouping and for the verification by the Monitoring and Verification Mechanism was not completed at that time, raising questions as to whether subsequent deadlines could be met.

14. On 2 December, the Government and FARC-EP set up a follow-up, promotion and verification commission, which is to review and verify the implementation of the peace agreement and resolve any differences that may arise between the parties. They also set up a national council in charge of developing plans for the reintegration of FARC-EP members. The Government later convened a ministerial-level national commission on security guarantees, chaired by the President, which is aimed at dismantling criminal structures responsible for homicides and massacres threatening those participating in the implementation of the peace agreement and in peacebuilding.

15. A critical step towards a more rapid implementation of the peace agreement was taken on 14 December when the Constitutional Court endorsed a broadening of the President's authority to issue decree-laws relating to its implementation and a fast-track congressional procedure for the consideration and approval of its legislative agenda. In that regard, the Government submitted a draft amnesty law with the expectation that it would be approved by the end of December. In a related development, FARC-EP designated six representatives who, in compliance with the agreement, would participate without the right to vote in congressional debates on draft legislation relating to peace implementation.

D. Security context

16. The fragility of the ceasefire, in the absence of a definitive peace agreement, was dramatically illustrated on 13 November when two FARC-EP members were killed in Bolívar department, the first casualties since 2015 in the conflict between the Government and FARC-EP. This was widely viewed as evidence of the urgent need to proceed rapidly towards the conclusion of a peace agreement and the full implementation of the ceasefire provisions. This incident was investigated by the Monitoring and Verification Mechanism, as explained in paragraph 25 below.

17. A series of homicides and threats in November and early December targeting community leaders in rural areas long affected by the conflict generated widespread concern. Many of those targeted were also reportedly members of the leftist movement Marcha Patriótica, raising questions regarding possible political motivations and the degree of coordination behind the incidents. There is no consensus on the mix of various factors, namely, criminal, economic and political, that may be involved in the violence. Nevertheless, those incidents demonstrated the relevance and timeliness of the establishment of a national commission on security guarantees and the importance of the effective functioning of the special investigative unit of the office of the Attorney-General, among other provisions of the peace agreement.

III. Mission tasks

A. Activities relating to the ceasefire and cessation of hostilities and coordination of the Monitoring and Verification Mechanism

Deployment and monitoring of the separation of forces

18. In accordance with resolution 2261 (2016), the Mission began its monitoring and verification functions on 27 September 2016, following the signing of the original agreement. By that time, the Mission had already deployed observers and substantive staff to the eight agreed regions and had established offices in five of them where facilities were available: Florencia, Popayán, San José del Guaviare, Valledupar and Villavicencio. The Mission had deployed to temporary locations in the other three regions, namely, Bucaramanga, Medellín and Quibdó, while permanent office premises were identified.

19. By the end of September, the tripartite Monitoring and Verification Mechanism was established in Bogotá, with the participation of observers from the Government and FARC-EP. Since then, the deployment of those observers to the regions has been taking place gradually and is nearly complete, with the exception of the Quibdó regional headquarters, where FARC-EP observers have not yet been deployed. In Bucaramanga and Medellín, the three components remain in temporary locations.

20. The result of the plebiscite, however, brought to a halt the Mission's formal monitoring and verification activities, given that the agreement signed in September had not entered into force. The Mission reinitiated monitoring and verification activities on 7 November, following the letter dated 31 October 2016 from the President of the Security Council (S/2016/923), in which he noted that the Council would authorize the Mission to verify the separation of forces between the national armed forces and FARC-EP units located in the temporary pre-grouping points, as agreed to in the ceasefire protocol.

21. Monitoring by the Monitoring and Verification Mechanism of the implementation of the ceasefire protocol has proved difficult owing to a series of factors, including a lack of definition in the number of temporary pre-grouping points (56 were initially agreed upon and then increased to 72); an inadequate flow of information, until early December, from the parties to the mechanism and between them; and, more generally, the impediments to normal functionality inherent to carrying out such a complex arrangement as a tripartite monitoring mechanism. On the ground, the separation of forces was carried out largely through direct bilateral coordination of army and FARC-EP movements, and several incidents were avoided thanks to the level of confidence between members of the national armed forces and FARC-EP in the field. Mechanism coordination as foreseen in the protocol did take place, but to a limited extent. The Mission and its partners in the Mechanism are working to improve coordination and information flow within the framework of the Mechanism.

22. Early in December, the United Nations, government and FARC-EP observers began to deploy to their 27 local headquarters. At the time of writing, 10 local headquarters were occupied, which has allowed the Monitoring and Verification

Mechanism to monitor an increasing number of temporary pre-grouping points and to begin planning for the monitoring of the local zones and points of which FARC-EP will concentrate its forces and of which the laying down of arms should be completed. The trust between members of the Armed Forces and FARC-EP has been confirmed during the deployment of the Mechanism both regionally and locally. There has been a remarkable level of integration and cooperation among observers from all three components of the Mechanism.

Monitoring of the provision of logistics

23. The ceasefire protocol provided for the Government to deliver logistical support consisting of food, health care and communications to FARC-EP units in the temporary pre-grouping points beginning 30 days after the protocol's entry into force. Inadequate information from both parties with regard to logistical arrangements made it difficult for the Monitoring and Verification Mechanism to monitor the process. Communications needs were adequately addressed through the provision of cellular phones. Arrangements were made to provide food supplies at 40 locations. In several cases, however, perishable products spoiled during transport or due to a lack of refrigeration. In early December, FARC-EP refused to receive further supplies until the Government complied with its commitment under the protocol to provide locally obtained food. The first public tenders to that effect were advertised in mid-December. At the time of writing, there was no system in place in either the temporary pre-grouping points or the local, regional and national Mechanism headquarters for FARC-EP health care. In the meantime, however, the Mechanism has undertaken efforts to ensure that assistance is provided on a case-by-case basis.

24. With regard to the establishment of FARC-EP camps in the zones and points, the decision reached in August 2016 that FARC-EP members would build their own camps with the help of material provided by the Government was reaffirmed early in December. In 17 of the 27 zones and points, construction is about to begin.

Investigation of incidents

25. The definitive ceasefire and cessation of hostilities declared by the parties on 29 August 2016 held during the reporting period, notwithstanding the fragile environment owing to uncertainty surrounding the future of the peace agreement. Since the entry into force of the ceasefire protocol, the Monitoring and Verification Mechanism has received 27 requests for investigation of incidents. The most serious incident took place on 13 November when two FARC-EP members were killed and a third was captured in the municipality of Santa Rosa del Sur, Bolívar department. The investigation of the incident by the Mechanism concluded that commitments made under the ceasefire protocol had been breached. In addition, an investigation was carried out of an incident on 12 November in Tumaco, Nariño department, in which two people died and two were wounded. FARC-EP took full responsibility for that violation of its commitments. Although isolated incidents, they still deeply contradict the popular clamour for an end to all deaths on account of the conflict.

Liaison with civil society

26. In accordance with its mandate, the Monitoring and Verification Mechanism has been regularly meeting civil society organizations that have expressed interest in supporting its activities. The organizations have shared information with the Mechanism about the situation in the zones and points to which the Mechanism is to deploy and about the hopes, fears and misgivings of the local population. They have stressed the need for sustained information and outreach to the public in these sensitive regions and their willingness to assist.

Assessment of activities to date

27. On 7 December, the Monitoring and Verification Mechanism issued a communiqué in which it assessed steps taken by D+5, the date by which FARC-EP was to begin to move towards the zones and points. On the positive side, it noted that local zones and points had been identified, that the parties had complied with their commitment to share information with the Mechanism regarding the deployment of their forces, that FARC-EP had initiated movement towards zones and points as part of its commitment under the ceasefire protocol and that the Mechanism had deployed to the regions, trained its staff and initiated verification of incidents. On the other hand, the Mechanism noted that the implementation of commitments had been affected by the adverse result of the plebiscite of 2 October. The Mechanism drew attention to the following key challenges requiring urgent attention: setting up camps at the 27 zones and points so that FARC-EP members could establish themselves there; meeting the needs of pre-grouped FARC-EP members, in compliance with the ceasefire protocol; and deploying the Mechanism to the remaining regional offices and to the 27 local sites. The Mechanism also noted, as mentioned above, the need for improvement in the information flows within it to allow it to fulfil its role.

B. Activities relating to the laying down of arms

28. In accordance with resolution 2261 (2016) and the peace agreement, the Mission is responsible for monitoring and verifying the laying down of arms by FARC-EP, including verification of the destruction of unstable explosive materiel.

29. Preparations have been undertaken for the Mission to perform these tasks. By the time that the present report is issued, the Mission will be in a position to register the weapons of FARC-EP when its members arrive at the local zones and points and to store the weapons that are to be handed over by the senior members of FARC-EP who will be engaging in the political process and those who are observers within the Monitoring and Verification Mechanism.

30. Preparations are also under way for the storage of weapons at a dedicated United Nations site within the FARC-EP camps in the local zones and points. The Mission has been working with both parties to agree to a final design for the United Nations laying down of arms sites, including the associated accommodation where United Nations observers will be present. The procurement process for the building of these camps is under way and is being fast-tracked to ensure that the sites will be ready on time.

31. A key task of the Mission within the laying down of arms process will be the verification of the destruction of unsafe materiel in FARC-EP weapons caches. This is a complex task owing to the estimated number of caches and the inherent risk in dealing with unsafe weaponry. The Mission will require technical expertise and the ability to access remote locations in a safe and timely manner.

32. While the Mission has been undertaking detailed preparations with regard to the laying down of arms, the costing for this activity and a request for financing were not included in the Mission's budget proposal for 2017 because, at the time of submission, the provisions of the peace agreement on the laying down of arms were not yet in force. The Security Council was informed in my letter dated 14 December (S/2016/1063) that the Mission would proceed with the full range of tasks set out in its resolutions 2261 (2016) and 2307 (2016), including the laying down of arms. The Mission will seek supplementary resources associated with the completion of this task.

C. Liaison, coordination and substantive support

33. The Mission has reached out to national, departmental and local authorities, communities and civil society organizations with the goal of explaining its mandate and the work of the Monitoring and Verification Mechanism and of receiving feedback about their perceptions and recommendations relating to the Mission's tasks. Visits were carried out to numerous locations, including most of the municipalities that will house zones and points for the laying down of arms. With a view to firming up support for the verification of the ceasefire and the laying down of arms, the Mission has maintained a dialogue with sectors critical of the agreement signed in September.

34. A special effort has been made to engage with women's groups to include their perspective, views and recommendations on the Mission's activities and to establish the confidence necessary to receive information regarding potential gender-based violence.

35. A solid relationship has been established with United Nations agencies, funds and programmes in Colombia, and the Mission participates regularly in the main coordination bodies of the United Nations country team. The latter has been reviewing the peace agreement and is designing common strategies to maximize support for its implementation. In particular, it is identifying the capacities that it can collectively bring to bear on the stabilization of conflict areas, in particular the zones and points of which the laying down of arms will take place and the municipalities in which they are located. Attention to socioeconomic and humanitarian needs in these sensitive areas will contribute to consolidating the ceasefire, the laying down of arms and the initial reintegration of FARC-EP combatants.

IV. Mission set-up and structures

36. On 15 September, the Government and the United Nations signed a status-of-mission agreement.

37. The Mission is now operational at the national level and in the eight regions. At the national, regional and local headquarters, the Mission is co-located with the Monitoring and Verification Mechanism. At the local level, Mission staff were undertaking initial operational activities from 10 locations as of mid-December and were expected by the time of issuance of the present report to be deployed in 16 local headquarters. Shortly thereafter, an additional eight local Mechanism headquarters are scheduled to be established. Of the 27 local zones and points at which local Mechanism headquarters are planned, 3 remain for which negotiations for the rental of land for use by the Mechanism are continuing. At the time of writing, there was no confirmed date for the opening of the remaining locations.

A. Observers

38. Deployment of observers stands at 280 of the 450 needed for the full monitoring and verification of the ceasefire and laying down of arms. Of the observers currently deployed, 43 (15 per cent) are women. The arrival of the remaining observers is planned in stages, with full deployment scheduled to be attained by February 2017.

B. Civilian staff

39. The Mission has adopted a proactive approach to the recruitment of civilian staff by identifying needs and advertising posts pending the approval of the United Nations budgetary authorities. This approach has been required in the light of the very short period between the entry into force of the peace agreement and the requested activation of the Mission and the Monitoring and Verification Mechanism.

40. Prior to the signing of the peace agreement, the Mission had identified staff and United Nations Volunteers for potential deployment to local sites. Since the signing, the Mission has begun deploying these staff for service at the local level. Currently, the Mission has 68 civilian staff and 22 Volunteers.

C. Mission support

41. The Mission continued to rely on existing United Nations capacity in Colombia to facilitate administrative, logistical and financial services, primarily through the United Nations Development Programme. Letters of assist setting out the scope and description of logistical and administrative support to be provided by the Government to the Monitoring and Verification Mechanism and the Mission are currently under negotiation, following extensive discussions between the Mission and the Government. An area of continued concern remains medical coverage for observers, which is to be provided under the ambit of one of the letters of assist. Every effort is being made to conclude this letter of assist before the end of 2016.

42. As authorized in resolution 230[illegible]2016), costs relating to the Monitoring and Verification Mechanism are to be shared equally with the Government. The Mission, in coordination with Headquarters and the Government, is developing methods for

capturing and reimbursing these costs. A reimbursement for an initial submission of expenses by the Government is forthcoming.

43. In accordance with these cost-sharing provisions, the Government has, to date, provided 63 of a total of 158 vehicles required for the Monitoring and Verification Mechanism and the Mission. The remaining vehicles are scheduled for deployment in accordance with the opening of the local Mechanism headquarters. Of the 158 vehicles, 102 will be utilized by the Mechanism and 56 by the Mission. For operational air transportation, the Mission is currently dependent on government-provided assets, but it is working with Headquarters to position dedicated aviation capacity. For mobile and static communications in remote regions, the Mission has been expanding the existing Department of Safety and Security radio network with additional repeaters and equipment to serve the needs of the Mechanism and the Mission. Five of the eight regions already have enhanced radio connectivity and work is under way to connect the remaining regions using high-frequency, VHF and satellite telephony.

D. Security

44. The Government, specifically the national police, continues to provide permanent security to the Mission and the Monitoring and Verification Mechanism. The United Nations security management system covers the country team and the Mission in an integrated security structure. Regional security officers have been deployed to each regional office to ensure compliance with the policies and procedures of the security management system. They advise the Mission's heads of regional office and the Chief of Regional Observers on security issues. Mission security focal points have been designated at each local headquarters. Security officers have participated in the tripartite teams that carried out technical visits to the zones and points at which the laying down of arms will take place. On the basis of these visits, and provided that all the proposed security risk management measures are effectively and timely implemented, the residual and expected risk levels would be medium. The Department of Safety and Security has determined that the Mission's activities are viable from a security viewpoint as long as those measures are in place.

E. Conduct and discipline

45. The Mission is committed to preventing incidents of misconduct involving its personnel, in particular sexual exploitation and abuse. To that end, a situation-specific risk analysis at the Mission headquarters and regional offices was carried out to identify internal and external factors that may influence the behaviour of United Nations personnel. A sexual exploitation and abuse task force, established during the month of November, has been tasked with identifying and recommending mitigating measures, including the establishment of a list of off-limit places at which the presence of Mission personnel would be prohibited.

46. As part of its prevention and outreach efforts, the Mission maintains regular contact with United Nations agencies, funds and programmes and with the humanitarian community and women's associations at the national and local levels

in order to provide information on United Nations zero-tolerance policy and on preventive measures taken by the Mission. The Mission has also requested support to establish an effective reporting mechanism for potential incidents of sexual exploitation and abuse and to facilitate assistance to victims.

V. Observations

47. Much has happened over the reporting period to test, and ultimately reaffirm, the Colombian peace process. It has been a time of protracted political uncertainty compounded by at least two challenges: continued violence in the conflict zones and growing pains in the implementation and monitoring of the ceasefire protocol. Nevertheless, the parties' ability to maintain the ceasefire confirms their determination to accomplish the transition from war to peace, backed by overwhelming popular support for an end to the conflict. The successful separation of forces provided under the protocol, which was achieved through cooperation on the ground between members of the national armed forces and FARC-EP, confirms the importance of that relationship and the need to consolidate it further.

48. Following the decision of 14 December of the Constitutional Court to allow the fast-track adoption of the legislative agenda of the peace agreement, implementation can now begin in earnest and with the undivided attention of the parties and those national and international actors committed to the success of the peace process. It is critical that it does. I welcome the parties' rapid establishment of key implementation commissions and the Government's decision to redouble efforts with regard to the logistics of the FARC-EP camps and the deployment of the Monitoring and Verification Mechanism. I encourage international actors to accompany what should be a committed and sustained effort by all to rapidly deliver tangible peace dividends to the areas affected by the conflict, including improved security. I take this opportunity to thank the Security Council for its commitment to supporting the peace process and to the Member States that have provided the observers that the Mission needs to fulfil its mandate. I should also like to once again commend the guarantor countries, Cuba and Norway, as well as the accompanying countries, the Bolivarian Republic of Venezuela and Chile, for their critical role in the peace process.

49. I have taken note of the fact, recently announced by the FARC-EP leadership, that several field commanders refused to embrace the peace process, but that this does not reflect the position of the FARC-EP membership as a whole. However, it does remind us that the transition from conflict to peace in Colombia faces unique difficulties, including a pattern of insecurity in rural areas bypassed by State institutions, a thriving illicit economy and entrenched social, economic and political fractures inherited from a long history of conflict. A concrete example of the challenges that the country's transition to peace faces is the movement of some armed groups, paramilitary or otherwise, towards areas vacated by FARC-EP, where they may attempt to violently establish their control.

50. It is important to keep in mind that the provisions of the peace agreement extend beyond the ceasefire and the laying down of arms to measures such as rural reform, the combating of illicit drugs and the expansion of guarantees for inclusive political participation. I therefore support the parties' strategy to simultaneously

move forward along all these lines. A successful transition will not be attained piecemeal.

51. Achieving momentum in the implementation process is important. The fast-track procedure makes it possible. The approaching launch of the campaign for the national elections in 2018 makes it necessary. Joint efforts that transcend existing political divisions about the peace agreement are also needed to consolidate peace. The cessation of hostilities and the laying down of arms are subjects of national consensus, as are many other steps that derive from them, including the reintegration of FARC-EP members in conditions of security and the broader objective of stabilizing conflict areas. I encourage efforts to forge the broadest possible unity around the implementation of the peace agreement, in particular in the rural areas in which polarization, combined with the widespread use of violence, can have a deadly effect.

52. While remaining confident of the overall commitment of the parties to achieving peace, I have noted some initial difficulties in the implementation of the ceasefire protocol, including missed timelines, logistical flaws and inadequate compliance. It is critical that these issues be remedied as the process of implementation begins in earnest and that the implementation process be permeated by a spirit of detailed and uncompromising compliance with obligations assumed in Havana. This is equally important to the national and international credibility of, and support for, the peace process. In close cooperation with both parties, the United Nations Mission in Colombia will continue to do its utmost to ensure that those high standards are met.

53. I wish to express my appreciation to my Special Representative, Jean Arnault, and to the international observers and civilian personnel serving under his leadership for their continued dedication in support of the peace process in Colombia.

United Nations S/2016/1096

Security Council

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The Security Council,

Recalling its previous resolutions, in particular 1509 (2003), 2066 (2012), 2116 (2013), 2177 (2014), 2190 (2014), 2215 (2015), 2237 (2015), 2239 (2015) and 2308 (2016) concerning the situation in Liberia, and 2162 (2014), 2226 (2015) and 2295 (2016),

Affirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Liberia and recalling the principles of good-neighbourliness, non-interference and regional cooperation,

Welcoming the overall progress toward restoring peace, security and stability in Liberia, and *commending* the successful completion of the transfer of security responsibilities from the United Nations Mission in Liberia (UNMIL) to Liberia's security services on 30 June 2016 and the commitment of the people and Government of Liberia to peace and to developing democratic processes and institutions and initiating important reform efforts,

Affirming that the Government of Liberia bears primary responsibility for ensuring peace, stability and the protection of the civilian population in Liberia and for reforming and building the capacity of the security sector, particularly the Liberia National Police (LNP) and the Liberia Immigration Service (LIS),

Stressing that lasting stability in Liberia will require the Government of Liberia to sustain well-functioning and accountable government institutions, especially in the security and justice sectors, to build the confidence of the people of Liberia, and *urging* the Government of Liberia to demonstrate substantive progress in the reform, restructuring and effective functioning of the security and justice sectors to provide for the protection of all the people of Liberia,

Noting the potential security challenges during the preparation for, and the period leading up to, October 2017 presidential and legislative elections in Liberia, *urging* the Government of Liberia to accelerate efforts to resolve longstanding land rights, reconciliation, accountability and transparency matters to bolster public confidence in its government in advance of Liberia's scheduled 2017 presidential and legislative elections and transfer of power, and *stressing* the need for the Government of Liberia to build on the successful transfer of security responsibilities, completed on 30 June 2016, to its security forces in preparation for both the conduct and outcome of elections, and *calling on* international partners to

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support the Liberian authorities in ensuring the credibility of those elections, including through the deployment of international electoral observers,

Looking forward to a comprehensive, inclusive constitutional review process as well as the implementation of the National Reconciliation Roadmap, and *urging* efforts to strengthen the Independent National Commission on Human Rights, which has a key role as a publicly accessible human rights institution and as a mechanism to monitor and follow up on the implementation of the recommendations of the Truth and Reconciliation Commission,

Emphasizing the integral role of the High Commissioner for Human Rights in evaluating the human rights situation in Liberia as it meets its commitments outlined in the country recommendations for Liberia from its 2015 Universal Periodic Review,

Stressing that the responsibility for the preparation, security and conduct of free, fair and transparent 2017 presidential and legislative elections rests with the Liberian authorities,

Noting with concern the potential for conflict over Liberia's natural resources and disputes related to land ownership, and *also noting* that issues related to corruption continue to threaten to undermine stability and the effectiveness of government institutions,

Commending the continued efforts of the Government of Liberia to strengthen security cooperation in the sub-region, notably with the governments of Côte d'Ivoire, Guinea and Sierra Leone,

Expressing appreciation for the continued assistance provided by the people and Government of Liberia to Ivorian refugees in eastern Liberia and toward their voluntary repatriation to Côte d'Ivoire,

Commending the continued contribution, commitment and resolve of United Nations personnel, as well as of the troop- and police-contributing countries of UNMIL, to assist in consolidating peace and stability in Liberia,

Expressing appreciation to the international community for its support to consolidate peace, security and stability in Liberia, *welcoming*, in particular, the contributions of bilateral partners and multilateral organizations, as well as the Peacebuilding Commission, to support Liberia's efforts on security sector reform, rule of law and national reconciliation, *strongly encouraging* the continued contributions of the international community in this regard, including the full implementation of the Statement of Mutual Commitments, *recognizing* that key peacebuilding priorities must be fully integrated into Liberia's development strategy, including revitalizing socioeconomic development, and *emphasizing* the need for coherence between, and integration of, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations,

Recognizing the significant challenges that remain across all sectors, including continuing problems with violent crime, in particular the high rates of sexual and gender-based violence, especially involving children,

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013) and 2242 (2015) on women, peace and

security, and *emphasizing* that persistent barriers to the full implementation of resolution 1325 (2000) will only be dismantled through dedicated commitment to women's empowerment, participation and human rights and accountability for acts of sexual and gender-based violence and through concerted leadership, consistent information and action and support to build women's engagement in all levels of decision-making,

Taking note of the 15 November 2016 report of the Secretary-General (S/2016/968) and the recommendations contained therein on the adjustments to the mandate and composition of UNMIL in line with the scheduled 2017 elections and 2018 transfer of power,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

Governance, National Reconciliation, Rule of Law, and Security Sector Reform

1. *Calls upon* the Government of Liberia to prioritize national reconciliation and economic recovery, to combat corruption and to promote efficiency and good governance, in particular by continuing to strengthen transparency and accountability, including by effectively managing Liberia's natural resources for the benefit of all the people of Liberia, *emphasizes* the importance of pursuing a national reconciliation and social cohesion strategy through concrete measures to promote national healing, justice and reconciliation at all levels and involving all Liberian stakeholders, and *recognizes* the efforts of the Government of Liberia to support enhancement of the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions and the broad range of reform efforts;

2. *Stresses* the responsibility of and the need for the Liberian government to prepare for 2017 elections, including through support for electoral institutions, *calls upon* all parties to ensure that the elections are free, fair, peaceful and transparent, including through the full participation of women, and *requests* the Special Representative of the Secretary-General to assist the Liberian parties to this end;

3. *Emphasizes* that the Government of Liberia bears primary and ultimate responsibility for security and the protection of its population with special attention to combatting sexual and gender-based violence and combatting impunity for perpetrators of such crimes, and *urges* the Government to prioritize the effective and rapid development of the security agencies, especially the LNP, which is the priority law enforcement agency tasked with civilian policing responsibilities, including through the timely provision of sufficient financial resources and other support, adequate training and development of senior management;

4. *Emphasizes* the need for expanded efforts by the Liberian authorities to address the root causes of conflict, reinvigorate national and local reconciliation processes, promote land reform, advance constitutional and institutional reforms, especially of the rule of law and security sectors, combat sexual and gender-based violence, and build trust between Liberian citizens and state institutions and processes, and requests the Special Representative of the Secretary-General to assist such efforts through the use of his good offices and political support;

5. *Urges* the Government of Liberia to prioritize resourcing for critical gaps to improve the capacity and capability of the LNP and LIS, as well as the justice sector, including courts and prisons, enabling the promotion of human rights and reconciliation, effective oversight, professionalism, transparency and accountability across all security institutions and strengthening democratic institutions and extension of state authority and services throughout the country for the benefit of all Liberians;

6. *Calls on* the Government of Liberia to accelerate its efforts to enhance the capacity of its security sector, especially the leadership, coordination, monitoring, resources and oversight mechanisms, as well as to swiftly and fully implement the new Police and Immigration Acts and further reform of the promotion and manpower policies, with a view to decentralizing the national security institutions, particularly the LNP, to provide security for all people throughout Liberia, and *urges* the Government of Liberia to accelerate efforts to implement measures on the proper management of arms and ammunition, including enacting the appropriate domestic laws, the effective monitoring and management of Liberia's border regions and the registering and tracking of arms and material used and imported by its security forces;

7. *Underscores* the importance of the Government of Liberia continuing to develop national security and rule of law institutions that are fully and independently operational, and to this end, *encourages* accelerated coordinated progress on the implementation of the Security and Justice Development Plans and the National Human Rights Action Plan, and *urges* the effective, transparent and efficient management by the Government of Liberia of assistance, including from bilateral and multilateral partners, to support the reform of the justice and security sectors;

8. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolution 1325 (2000), *underlines* that a gender perspective should be taken into account in implementing all aspects of the mandate of UNMIL, *encourages* UNMIL to work with the Government of Liberia in this area until its closure and *requests* the Secretary-General and other relevant actors to ensure that transition planning and implementation fully integrates a gender perspective and to include in reporting to the Council progress in this area and all other aspects relating to the situation of women and girls, especially regarding protection from sexual and gender-based violence;

9. *Expresses its continued concern* that women and girls in Liberia continue to face a high incidence of sexual and gender-based violence, *reiterates its call on* the Government of Liberia to continue to combat sexual violence, particularly against children, and gender-based violence, to combat impunity for perpetrators of such crimes, to provide redress, support and protection to victims, including through public information campaigns and by continuing to strengthen national police capacity in this area and to raise awareness of existing national legislation on sexual violence, and *encourages* the Government to reinforce its commitment in this regard, including by funding the implementation of its national action plan on sexual and gender-based violence and improving women and girls' access to justice;

UNMIL Mandate

10. *Decides* to extend the mandate of UNMIL as set out in paragraph 11 for a final period until 30 March 2018, and *requests* the Secretary-General to complete by 30 April 2018 the withdrawal of all uniformed and civilian UNMIL components, other than those required to complete the Mission's liquidation;

11. *Decides* that until 30 March 2018, the mandate of UNMIL shall be the following:

(a) *Protection of Civilians*

(i) To protect the civilian population from threat of physical violence within its capabilities and areas of deployment, particularly in the event of a deterioration of the security situation that could risk a strategic reversal of peace and stability in the country, without prejudice to the primary responsibility of the Liberian authorities for the security and protection of its population;

(b) *Reform of Justice and Security Institutions*

(i) To advise the Government of Liberia in developing the leadership, internal management, professionalization and accountability mechanisms of the LNP, with a particular focus on elections security;

(c) *Human Rights Promotion and Protection*

(i) To support the Government of Liberia in carrying out promotion, protection and monitoring activities of human rights in Liberia, with special attention to violations and abuses committed against children and women;

(ii) To support the strengthening of efforts by the Government of Liberia to combat sexual and gender-based violence, including its efforts to combat impunity for perpetrators of such crimes;

(d) *Public Information*

(i) To continue to communicate, including through UNMIL Radio, with the people and Government of Liberia to promote sustainable peace through the October 2017 elections and 2018 transfer of power and also to raise awareness about UNMIL's transformation, eventual closure and the United Nations' continuing engagement in Liberia;

(e) *Protection of United Nations Personnel*

(i) To protect the United Nations personnel, installations and equipment and to ensure the security and freedom of movement of United Nations and associated personnel;

12. *Authorizes* UNMIL to assist as requested and within its capabilities, bearing in mind the responsibility of the Liberian Government, with logistical support, including aviation support, to meet urgent gaps in Liberia's capabilities for the 2017 presidential and legislative electoral process, including voter registration, in particular to facilitate access to remote areas;

13. *Requests* the Secretary-General prepare a report for the Security Council within 90 days of the adoption of this resolution that sets out a well-developed peacebuilding plan to direct the role of the United Nations system and other relevant partners, including multilateral and bilateral actors, in supporting Liberia's transition, *emphasizes* in this regard the important convening role of the Peacebuilding Commission in the process of developing this plan, *further requests* that UNMIL work closely with the United Nations Country Team (UNCT) and its component United Nations agencies to implement the results of the UNCT's mapping exercise to identify ways to address gaps in capabilities to accelerate preparations for UNMIL's drawdown and closure, in particular the transfer of UNMIL's tasks on human rights monitoring, rule of law, national reconciliation and security sector reform to the government and the UNCT to ensure continued progress in those areas, *urges* the Government of Liberia, UNMIL, and the UNCT to coordinate closely in the transfer of these responsibilities, and *encourages* the international community and donors to support the activities of the UNCT in assisting Liberia's continued efforts to achieve sustainable peace;

14. *Requests* the Secretary-General direct UNMIL with support of international partners to facilitate the sustainable transfer of UNMIL Radio's capabilities and equipment by 30 March 2018 to an independent entity;

15. *Requests* UNMIL to ensure that any support provided to non-United Nations security forces is provided in strict compliance with the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces (S/2013/110);

Force Structure

16. *Decides* to reduce UNMIL's remaining 1,240 military personnel to a ceiling of 434, comprising one company and appropriate enablers, including aviation assets, and to decrease UNMIL's authorized police strength to 310 police personnel, including two formed police units and individual police officers required for the implementation of the mandate, by 28 February 2017;

17. *Requests* the Secretary-General to ensure that the police component has the requisite professional skills and experience to develop the leadership, internal management, professionalization and accountability mechanisms of the LNP;

Regional and Inter-Mission Cooperation

18. *Calls on* the Governments of Liberia and Cote d'Ivoire to continue reinforcing their cooperation, particularly with respect to the border area, including through increased monitoring, information sharing, and coordinated actions, and in implementing the shared border strategy to, inter alia, support the disarmament and repatriation of armed elements on both sides of the border and the voluntary return of refugees in safety and dignity, as well as to address the root causes of conflict and tension;

19. *Recalls* the intention to transfer the United Nations Operation in Côte d'Ivoire (UNOCI) quick reaction force established by resolution 2162 (2014) and as defined in paragraph 41 of resolution 2295 (2016) to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) where it

will continue to support UNMIL as defined in paragraph 33 of resolution 2226 (2015), while recognizing that this unit will become primarily a MINUSMA asset;

20. *Recalls* its authorization, pursuant to its resolutions 2162 (2014) and 2226 (2015), to the Secretary-General to deploy this unit to Liberia, subject to the consent of the troop-contributing countries concerned and the Government of Liberia, in the event of a serious deterioration of the security situation on the ground in order to temporarily reinforce UNMIL with the sole purpose of implementing its mandate and *further recalls* its requests to the Secretary-General to inform the Security Council immediately of any deployment of this unit to Liberia and to obtain Security Council authorization for any such deployment for a period that exceeds 90 days;

21. *Requests* the Secretary-General to keep it regularly informed of the situation in Liberia and the implementation of the mandate of UNMIL and to provide a report on the situation on the ground and implementation of this resolution no later than 15 June 2017, with an oral update for the Security Council on elections preparation no later than 31 August 2017 and another oral update after elections no later than 15 December 2017, with a concluding report by 15 April 2018;

22. *Decides* to remain seized of the matter.

United Nations S/2016/1097

Security Council

Distr.: General
28 December 2016

Original: English

Letter dated 22 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a statement released by the Director of the Department of Treaty and Law of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea (DPRK) dated 22 December 2016, with regard to the adoption of the "sanctions resolution" imposed by the Security Council against the DPRK (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

16-23086 (E) 090117

Please recycle

Annex to the letter dated 22 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Statement released by the Director of the Department of Treaty and Law of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea

Security Council "resolution on sanctions" 2321 (2016) rejected

The Director of the Department of Treaty and Law of the Democratic People's Republic of Korea (DPRK) Foreign Ministry on Thursday released a statement in denunciation of the "resolution on sanctions" against the DPRK, which was cooked up by the Security Council at the instigation of the United States (US) and its vassal forces, branding the nuclear warhead explosion test of the DPRK as a "threat" and "provocation".

The statement said that neither sanctions of the United Nations nor independent sanctions can ever work on the DPRK, which has proudly emerged as a nuclear power and space power despite the unprecedented sanctions slapped on it by the US and other hostile forces for more than half a century.

Bitterly denouncing Security Council "resolution on sanctions" 2321 (2016) as wantonly violating the sovereignty of the DPRK and as a criminal document without any legality, the statement went on:

The DPRK's nuclear warhead explosion test was the exercise of the right to self-defence and a practical counteraction against the US and other hostile forces' nuclear threat and reckless sanctions and a demonstration of the strongest will of its people, who are ready to counter any provocation of the enemy.

The DPRK's legitimate self-defensive measure to defend its dignity and vital rights and protect genuine peace from the ever-increasing nuclear war threat from the US is the legal right of a sovereign State, which does not run counter to any international law.

This time the US and other hostile forces cooked up a blockade-style "resolution on sanctions", totally blocking sea lanes, to say nothing of trade and scientific and technical cooperation, discarding even the hypocritical signboard of excepting economic activities related to people's lives that they put up in the past, in the wake of adopting Security Council "resolution on sanctions" 2270 (2016) for the purpose of isolating and stifling the DPRK.

The latest Security Council "resolution on sanctions" has created the danger of imminent war on the Korean peninsula, as there are no judicial or institutional mechanisms to avert war and armed conflicts, and the "resolution" is as good as a declaration of war.

The US and other countries involved in adopting the "resolution on sanctions" will have to be wholly responsible for the ensuing consequences.

United Nations S/2016/1098

Security Council

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22 December 2016

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Report of the Secretary-General on children and armed conflict in Somalia

Summary

The present report, submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions, is the fourth report of the Secretary-General on children and armed conflict in Somalia. It covers the period from 1 April 2010 to 31 July 2016. The report focuses on the six grave violations committed against children and provides information on the perpetrators and the context in which the violations took place.

The report sets out the trends and patterns of grave violations against children by all parties to the conflict and underlines the worsening impact of armed conflict on children. It also raises concerns about the detention of children. The report sets out progress made in addressing grave violations against children, including in the legislative framework of Somalia and through the adoption and implementation of action plans.

Lastly, the report provides a series of recommendations to end and prevent grave violations against children in Somalia and improve their protection.

16-22852 (E) 100117

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I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict and covers the period from 1 April 2010 to 31 July 2016. It describes the trends and patterns of grave violations committed against children since my previous report (S/2010/577) and outlines the progress and challenges since the adoption of the conclusions by the Working Group on Children and Armed Conflict in March 2011 (S/AC.51/2011/12). Where possible, the parties to the conflict that are responsible for grave violations are identified in the report. In that regard, in the annexes to my most recent annual report on children and armed conflict issued in June 2016 (A/70/836-S/2016/360), Al-Shabaab, Ahl al-Sunna wal-Jama'a and the Somali National Army are listed for child recruitment and use. The Somali National Army is listed for killing and maiming and Al-Shabaab for the killing and maiming as well as abduction of children.

2. Notwithstanding significant political developments in Somalia during the reporting period, the security situation remained highly volatile, resulting in large numbers of civilian casualties, including children. Multiple national and international actors have been involved in the fight against Al-Shabaab. The reporting period also witnessed continued violence involving clan militias and the alignment of various regional forces, mostly composed of clan-based militias, with the emerging federal states. Those developments led to an extremely complex situation, which heavily affected children.

3. Monitoring and reporting activities were significantly hindered by the security situation, ongoing military operations and very limited access to affected populations. With much of southern and central Somalia remaining inaccessible during the reporting period, it is important to note that the information contained in the present report is only indicative of the full extent of grave violations committed against children.

II. Overview of the political and security situation and parties to conflict

A. Political and security developments

4. The eight-year political transition in Somalia concluded on 1 August 2012 following the adoption of the Provisional Federal Constitution and the establishment of the Federal Parliament and Government on 20 August. One of the major aspects of state-building was the envisaged establishment of a federal system through the creation of regional states. On 28 August 2013, the Interim Jubba Administration was formed, followed by the Interim South-West Administration, the Galmudug Interim Administration and the HirShabelle Interim Administration. The establishment of the Galmudug Interim Administration led to clashes with Puntland and between pro-Federal Government forces and Ahl al-Sunna wal-Jama'a, resulting in civilian casualties.

5. Al-Shabaab announced its retreat from Mogadishu in August 2011 following military operations by the African Union Mission in Somalia (AMISOM) and Transitional Federal Government forces. With the subsequent intensification of operations against Al-Shabaab in southern and central Somalia, the country task force on monitoring and reporting received increasing reports of grave violations by all parties to conflict. During the reporting period, significant territorial gains were made in southern and central Somalia by the Somali National Army and allied militias, with the support of AMISOM. In mid-2015, AMISOM and the Somali National Army launched a joint military operation against Al-Shabaab, code named "Operation Juba Corridor". With the loss of its strongholds and the weakening of its forces, Al-Shabaab increasingly resorted to asymmetrical attacks against the Somali National Army, AMISOM and soft targets, including through ambushes, hit-and-run attacks, suicide bombings and the use of improvised explosive devices, often resulting in heavy civilian casualties, including children. Later in the reporting period, Al-Shabaab extended its activities to Puntland. In March 2016, an attempted large-scale advance by Al-Shabaab into Puntland and Mudug was repelled by Puntland and Galmudug Interim Administration forces. The Government of Puntland reported that its forces had killed 208 Al-Shabaab fighters and captured 100, including children, while the Galmudug Interim Administration announced that its forces had killed 115 and captured 110, including children. Notwithstanding serious setbacks and loss of control of key towns and urban centres, large swaths of territory and key transport routes remained in the hands of Al-Shabaab.

B. Parties to the conflict

Federal Government of Somalia security forces

6. As specified in the Provisional Federal Constitution, the Federal Government of Somalia security forces are composed of its national army, intelligence services and police and prison forces. Additionally, various entities operated in different combinations in support of the Somali National Army, including clan militias and regional security forces. The integration of militia and regional forces into the Somali National Army progressed in the reporting period, albeit slowly. The lack of a precise overview of the composition, structure and deployment of the Somali National Army, frequent changes in allegiance by militias and the complexity of interactions among clan militias, the Somali National Army and regional forces rendered the identification of perpetrators difficult.

Regional forces

7. Various regional forces, mostly composed of clan-based militias, aligned themselves with the emerging federal states and interim administrations, including the Interim Jubba Administration, Galmudug Interim Administration and Interim South-West Administration forces. In addition, Puntland and "Somaliland" maintained their own security forces.

Armed groups

8. Al-Shabaab emerged as an independent militant group around December 2006 after breaking away from the Union of Islamic Courts. While the group's activities

focused on targets within Somalia, it also carried out deadly strikes in the region. Al-Shabaab remained a major threat to Somalia and the region despite significant territorial losses.

9. Ahl al-Sunna wal-Jama'a is a Somali militia that controls parts of Galmudug, including its capital Dhuusamarreeb. It joined forces with the Transitional Federal Government in 2010 to fight Al-Shabaab, presumably in exchange for positions in the Government. Not all members supported the move, and discord emerged. More recently, Ahl al-Sunna wal-Jama'a factions boycotted the creation of the Galmudug Interim Administration and clashes erupted between Ahl al-Sunna wal-Jama'a factions and the Somali National Army.

International forces

10. AMISOM was deployed to Somalia in March 2007 to, inter alia, reduce the threat posed by Al-Shabaab and other armed groups. At the time of writing, in December 2016, its military component comprised troops from Burundi, Djibouti, Ethiopia, Kenya and Uganda. While Ethiopian and Kenyan troops were rehatted into AMISOM in 2012 and 2014, respectively, both continued to also operate bilaterally in Somalia, outside of AMISOM command.

11. Towards the end of the reporting period, the United States of America also intensified its operations against Al-Shabaab in Somalia, including through air and drone strikes.

III. Grave violations committed against children

12. Given the challenging security context, the length of the reporting period and general lack of access for the country task force on monitoring and reporting throughout Somalia, data presented in the present report are only indicative of the scale, scope, patterns and trends of grave violations and the full impact of armed conflict on children. More specifically, the analysis by perpetrators started from 2012, the following sections focus on the period from 2012 to July 2016. In addition, the numbers provided in the sections on abduction and detention cover the period from 2014 to July 2016, given that related disaggregated data were available only from 2014 onwards. From 2012 to 2014, the country task force on monitoring and reporting identified clan militias as either allied with the Somali National Army or, in some cases, Al-Shabaab; they are thus presented under those classifications. Moreover, given that the establishment of interim federal administrations started to gain pace by the end of 2014, some of the clan-based militias evolved into regional security forces while several others remained separate and operated on the periphery of the Somali National Army. Disaggregated data on violations by regional security forces are therefore presented from 2015 onwards. Given the complexity of identifying perpetrators, grave violations that were not attributable to any specific party to the conflict are recorded as "unknown/unidentified armed element".

13. In the light of the above premise, the majority of violations against children were documented in 2012 when the Somali National Army and AMISOM conducted major joint military operations against Al-Shabaab. A downward trend was observed in 2013 and 2014, which was largely attributable to the challenges faced by the

country task force in gaining access for the purpose of monitoring and reporting. Against the background of an intensified military campaign against Al-Shabaab, violations increased again in 2015 and spiked during the first six months of 2016, exceeding the total numbers for 2013 and 2014 and approaching those of 2015.

14. Grave violations against children were carried out with impunity. The breakdown in law and order and the absence of State authority in large parts of Somalia exacerbated the situation. Traditional justice mechanisms were often preferred and led to financial settlements between families, at times in violation of victims' rights and without the enforcement of any other form of punishment against perpetrators.

A. Recruitment and use of children

15. During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. A recurrent pattern of child recruitment and use by the Somali National Army and armed groups was observed during the reporting period. The main perpetrator was Al-Shabaab, with 70 per cent of verified cases (4,313), followed by the Somali National Army (920), Ahl al-Sunna wal-Jama'a (346), regional security forces (193)[1] and unknown armed elements (351). The use of 40 children by AMISOM in support roles was also verified.

Al-Shabaab

16. Approximately 40 per cent of the 4,313 cases of recruitment and use by Al-Shabaab were verified in 2012 (1,789), followed by a decrease in 2013 (908) and 2014 (437). An increase was documented in 2015, with 555 cases, which continued steadily in the first half of 2016 (624).

17. A recurrent pattern of recruitment and use by Al-Shabaab was observed during the reporting period, in particular to reinforce or replenish its ranks following losses during joint AMISOM and Somali National Army operations or ahead of new offensives against the armed group. It is estimated that more than half of Al-Shabaab may comprise children. For example, at least 60 per cent of the Al-Shabaab elements captured in Puntland in March 2016 were children.

18. Children were trained and used in combat, with some as young as age 9 reportedly taught to use weapons and sent to the front lines. Children were used in operations that included the use of explosive devices (see S/2015/801), in addition to support roles, such as carrying ammunitions or performing domestic chores. They were also used as spies. For instance, a 14-year-old boy captured by AMISOM in May 2015 reported that he had been recruited in February 2015 by Al-Shabaab with three other children in Shongolow village, Gedo region, and trained for three months with at least 40 other children aged between 13 and 17. On 1 August 2015,

[1] Galmudug Interim Administration, Interim Jubba Administration, Somaliland and Puntland forces.

Al-Shabaab reportedly opened a training camp in Hagarey village, Gal'guduud region, where the presence of 60 boys aged between 9 and 15 was reported.

19. Al-Shabaab recruited children primarily in rural areas of southern and central Somalia. Schools, madrasas, mosques and religious events were frequent recruitment locations. Reports were received of madrasas having been established for the purpose of recruitment, particularly in Juba Hoose and Juba Dhexe regions (see S/2014/726). Teachers were often coerced into enlisting pupils. For instance, on 16 February 2014, in Waajid district, Bakool region, four boys were recruited by Al-Shabaab, the latter threatening to kill teachers if their students did not enlist. It was also reported that children were recruited from madrasas in refugee camps in Kenya (see S/2015/801).

20. Poverty and lack of opportunities provided incentives for recruitment by Al-Shabaab. Some of the children captured in March 2016 by Puntland authorities reported that they had been approached by Al-Shabaab with the promise of education and livelihoods. In other cases, children were used to pressure their peers to join Al-Shabaab. Information received in October 2016 pointed to an increasing focus by Al-Shabaab on the recruitment of children below the age of 15, whom it considered easier to manipulate.

21. Large numbers of children were abducted by Al-Shabaab for recruitment purposes. For instance, between 3 and 13 December 2015, some 150 children were reportedly abducted. Among those children, the country task force on monitoring and reporting verified information involving 26 boys, aged between 13 and 16, who had been abducted from madrasas and taken to recruitment camps in the Bay region following a refusal by parents to "make their children available" to join Al-Shabaab. Reports were also received of entire villages being forced to give up their children and young boys disappearing en masse from Al-Shabaab madrasas (see ibid.).

22. Children recruited and used by Al-Shabaab were victims of or were exposed to other grave violations, including killing and maiming, during military operations and air strikes targeting Al-Shabaab and subjected to arrest and detention by Somalia security forces during military or search operations.

Somali National Army

23. Recruitment and use by the Somali National Army were verified throughout the reporting period, with 179 cases in 2012, 209 in 2013, 197 in 2014 and 218 in 2015. During the first half of 2016, 117 children were recruited and used by the Somali National Army.

24. Notwithstanding an action plan signed in 2012, the Somali National Army continued to recruit and use children for various tasks, including manning checkpoints and as bodyguards. For instance, on 2 June 2014, a 16-year-old boy was sighted wearing a Somali National Army uniform and carrying a gun in Balcad district, Shabelle Dhexe region. On 3 January 2016, in Diinsoor town, three teenage boys dressed in Somali National Army uniforms were seen with soldiers guarding a senior government official. Two of the boys were carrying guns and were observed on several occasions patrolling and conducting security checks.

25. Information was also received on children being used as spies by the Somali National Army and the National Intelligence and Security Agency. That has put

children in increased danger, as illustrated by executions by Al-Shabaab of children suspected of spying for the Somali National Army or AMISOM. Further information is provided in the sections on detention and killing and maiming.

26. While many children were believed to have joined the Somali National Army because of lack of livelihood opportunities and extreme poverty, others were abducted for recruitment purposes. For instance, on 2 February 2016, a 14-year-old boy was abducted by Somali National Army forces in Baardheere town, Gedo region and brought to a military camp where he received military training. Additional examples are provided in the section on abductions.

Ahl al-Sunna wal-Jama'a

27. The majority of cases of recruitment and use by Ahl al-Sunna wal-Jama'a were verified in 2013 (111) and 2014 (109). Numbers decreased in 2015 (40). During the first half of 2016, 35 cases were verified. Child recruitment and use by Ahl al-Sunna wal-Jama'a were concentrated in the Gedo, Hiraan and Galguduud regions, its main areas of operations.

28. At the beginning of 2015, children were reportedly used during fighting between Ahl al-Sunna wal-Jama'a factions and the Somali National Army to control Guri Ceel town, Galguduud region. For instance, on 24 February 2015, four boys were seen heading to the Ahl al-Sunna wal-Jama'a base in Caabudwaaq town, Galguduud region. The boys reported that they had been called in to support the group in fighting the Somali National Army. Ahl al-Sunna wal-Jama'a also resorted to abductions for recruitment purposes. For instance, on 19 November 2014, a 15-year-old boy was abducted by Ahl al-Sunna wal-Jama'a in Jamaame East district, Juba Hoose region, and reportedly underwent military training.

Regional security forces

29. In 2013, 15 children were recruited and used by "Somaliland" security forces. Three children were recruited and used in 2014 by Puntland forces. In 2015, the Galmudug Interim Administration forces recruited and used 17 children and the Interim Jubba Administration forces recruited and used 3 children. Numbers spiked in 2016, with 155 children recruited and used by Interim Jubba Administration forces (81) representing half the cases, followed by Galmudug Interim Administration forces (74). For instance, on 20 December 2015, a 14-year-old boy was recruited by Interim Jubba Administration forces in Kabasa internally displaced persons camp, Gedo region, after having received one month of military training. The upsurge in numbers is believed to be linked to the increasing activities of regional security forces, in support of the Somali National Army or acting on their own, as the federalization process unfolded.

African Union Mission in Somalia

30. The country task force on monitoring and reporting verified the use of children by AMISOM, namely, 4 in 2012, 14 in 2013, 5 in 2014 and 17 in the first half of 2016. Children were used in support functions and to man checkpoints. For instance, on 8 July 2014, two boys aged 14 and 16 were used in Dhuusamarreeb district by AMISOM forces to collect firewood and prepare meals.

B. Detention for alleged association with armed groups

31. In February 2014, the Federal Government of Somalia adopted standard operating procedures for the reception and handover of children separated from armed groups. The procedures stipulated that the United Nations should be alerted of the presence of children formerly associated with armed groups in the custody of the security forces supported by AMISOM and other allied forces within 72 hours. They also specified that children should be handed over to the United Nations Children's Fund (UNICEF) or other designated entities in the shortest time possible and no later than 72 hours after entering into custody.

32. Notwithstanding the standard operating procedures, the deprivation of liberty of children by security actors remained a major concern, with the country task force on monitoring and reporting verifying the detention of at least 931 children by the Somali National Army, the National Intelligence and Security Agency and regional security forces between January 2014 and July 2016. Children were captured and detained for their alleged association with Al-Shabaab during military and security operations, including in mass security sweeps or house searches. Information indicating that children had been detained based on the suspicion of family members' association with Al-Shabaab was received. The country task force on monitoring and reporting also documented cases of deprivation of liberty of children by Al-Shabaab.

33. The lack of habeas corpus and due process for children deprived of their liberty has been an acute concern. Children were held for periods ranging from a few days to several years without legal redress. During the visit of my Special Representative for Children and Armed Conflict to the internationally funded and co-operated Serendi centre in Mogadishu in August 2014, she found 55 children, held among adults, who had been detained without due process on the suspicion of belonging to or sympathizing with Al-Shabaab. In one instance, a 15-year-old boy said that he had been in the centre for three years without any family contact. The purpose of the centre was to rehabilitate disengaged Al-Shabaab combatants before their reintegration. However, most of the children with whom the Special Representative interacted were not disengaged combatants but had been arrested during security operations.

34. The mandate for interviewing and classifying captured or arrested children into "high-risk" or "low-risk" categories has been held by the National Intelligence and Security Agency. The criteria for classification could not be ascertained by the United Nations and there was no known oversight of the process or procedure implemented by the Agency. Furthermore, classifications could not be challenged, which resulted in children being arbitrarily detained. My Special Representative was informed during her visit that the Serendi centre hosted the children who had been designated as "low-risk". It is of great concern that the United Nations has been unable to ascertain the fate of other captured or arrested children designated as "high-risk". I am extremely worried about the fate of such children and I urge the authorities to allow full access by the United Nations to all children arrested and captured during military and security operations.

35. Detention was also utilized as a tactic for gathering intelligence, with children being used as informants and spies by the National Intelligence and Security

Agency and the Somali National Army. In July 2016, during a meeting with the ministerial committee mandated to investigate allegations of children having been used by the National Intelligence and Security Agency as informants, my Special Representative for Children and Armed Conflict was given the committee's final report. It indicated that children had been used by the Agency between 2012 and 2014 to identify members of Al-Shabaab through "finger pointing". That was confirmed by children who had been detained in Serendi and whom my Special Representative met in 2014 and 2016. The practice has put children in severe danger, as illustrated by executions by Al-Shabaab of children suspected of being spies. Children used for gathering intelligence are also extremely vulnerable to retaliation from their own communities and their reintegration is compromised. More examples are provided in the section on the killing and maiming of children.

36. Reports of rape and ill-treatment of children in detention were received. Eleven cases of girls raped after being arrested were documented in 2013. In February 2014, in Beledweyne district, an 8-year-old girl was raped in custody by Somali National Army elements before being released the following day. The children whom my Special Representative talked to during her visit in July 2016 also mentioned ill-treatment and repeated rape in Serendi. In that regard, the ministerial committee's report confirmed that the conditions in which children and adults were kept in Serendi had created an environment conducive to systematic human rights violations. That information was corroborated by the most recent report of the Monitoring Group on Somalia and Eritrea (S/2016/919).

37. When children were brought before a court, concerns were raised about the use of military tribunals, the lack of application of juvenile justice standards and adherence to international obligations, including the age of majority, which is fixed at age 15 in Puntland. For instance, in March 2016, 66 children from southern and central Somalia, brought by Al-Shabaab to Puntland, were captured and imprisoned. On 16 June, a military court in Garoowe sentenced 12 of the children to death for their association with Al-Shabaab. They were transferred to Boosaaso prison and held together with adults. Twenty-eight other children, aged between 15 and 17 years, were sentenced on 17 September by a military court to between 10 and 20 years of imprisonment. The 26 children aged 12 to 14 years were released after being imprisoned for seven months. The United Nations continued to advocate for the children's protection; further details are provided in the last section of the report.

38. Children were also detained by AMISOM. For example, in 2015, 24 boys were detained and later released for alleged association with Al-Shabaab. In one instance, three boys were arrested by AMISOM forces in Marka town, Shabelle Hoose region, in response to Al-Shabaab attacks against AMISOM on 6 April 2015. They were later released. Reports of AMISOM handing over children captured during operations to the Somali National Army and the National Intelligence and Security Agency were also received.

C. Killing and maiming

39. Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in

2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30),[1] Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations.

40. The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties. For instance, on 1 June 2016, two boys aged 16 and 17 were killed and three others injured when Al-Shabaab launched a suicide attack on the Ambassador Hotel in Mogadishu. Casualties attributed to the Somali National Army occurred primarily in the context of military operations or in indiscriminate shootings following improvised explosive device-related attacks. For example, on 12 April 2016, a 13-year-old boy was killed by the Somali National Army when it responded to an attack on its convoy with indiscriminate shooting in Ceel Awmuude village, Banadir region.

41. The country task force on monitoring and reporting documented public executions by Al-Shabaab of children suspected of spying, carried out to instil fear in communities. For instance, on 21 March 2015, a 16-year-old boy suspected of being a Government spy was beheaded by Al-Shabaab. In the first three months of 2016, 21 children, including 3 girls, were executed by Al-Shabaab on suspicion of spying. On 15 March 2016, in Heegan village, Juba Dhexe region, a 17-year-old boy accused of spying for the Interim Jubba Administration was executed by a firing squad, after which his body was taken around town as an example.

42. A total of 108 cases of killing and maiming were attributed to AMISOM: 21 in 2013, 18 in 2014, 52 in 2015 and 17 in the first half of 2016. They occurred primarily in the context of operations against Al-Shabaab or in indiscriminate fire responding to attacks. The spike in 2015 is believed to be linked to Operation Juba Corridor. For example, eight children were killed in two incidents in Marka district, Shabelle Hoose region, in July 2015. On 19 December, a 17-year-old boy and a 14-year-old girl were killed when AMISOM forces opened fire indiscriminately, after their convoy was targeted by a bomb between Golweyn village and Mareer town, Shabelle Hoose region.

43. Children were also victims of air strikes by the Ethiopian National Defence Forces and the Kenyan Defence Forces, operating outside AMISOM command and control, and United States forces. For instance, on 24 July 2015, five boys aged between 5 and 16 were killed during air strikes carried out by the Ethiopian National Defence Forces between Tayeeglow and Buurhakaba districts. In an incident attributed to the Kenyan Defence Forces, 6 boys died and 12 others were

seriously injured on 21 July 2015 in an air strike on a madrasa in Baardheere district. In another incident, on 24 March 2016, a boy was killed and three other boys and two girls aged between three and 14 were maimed in their house, in a Kenyan Defence Force air strike in Farashabeele village, Juba Dhexe region. The Kenyan Defence Forces claimed that their target was an Al-Shabaab military training camp. In another incident, on 15 May 2016, two bodies, including that of a 16-year-old boy, were found in Sabiid village, on the outskirts of Afgooye town, following an air strike by the United States forces in the area. It was reported that Sabiid village, which had been under Al-Shabaab control, experienced aerial bombardment allegedly by United States forces between 13 and 14 May 2016. While United States forces had intensified air and drone strikes in Somalia, that was the only case that the country task force on monitoring and reporting verified.

D. Rape and other forms of sexual violence

44. The country task force on monitoring and reporting verified that 780 children, including five boys, were victims of rape and other forms of sexual violence between 2012 and 2016. Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama'a (12) and regional forces (11)[1]. The rape of five girls was attributed to AMISOM (contingents of Ethiopia (three), Uganda (one) and Djibouti (one)). The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.

45. Continued fighting and insecurity made children, especially girls, vulnerable to sexual violence, including forced marriage. Girls in internally displaced person camps were particularly at risk. For example, in 2013, 21 children were raped in 19 separate incidents by Somali National Army soldiers and unknown armed elements inside internally displaced person camps. On 13 June 2016, a 15-year-old girl was raped by a Somali National Army member in Alla Magan internally displaced person camp, Mogadishu, on her way to a latrine. The case was reported to the police but, as at December 2016, no action had been taken.

46. Girls were also at risk while performing domestic chores. For instance, on 12 March 2016, a 17-year-old girl was raped by an Al-Shabaab element on her way to the market in Banadir Jadiid village, Juba Dhexe region.

47. Rape and forced marriage often occurred in the context of abductions. For example, on 16 June 2016, a 16-year-old girl was abducted from her house and gang-raped by five Somali National Army soldiers in Quracle village, Bakool region. It was reported that the rape was an act of retaliation because her parents had accepted an Al-Shabaab member's marriage proposal. She was stabbed with a knife in her breast and transferred to Mogadishu for treatment. While the case had been reported to local authorities, no action had been taken at the time of writing. In an incident involving Al-Shabaab on 22 July 2016, a 16-year-old boy was abducted by two Al-Shabaab elements in Ceel Guduud village, Gedo region, and sodomized.

48. Children were also raped in detention, as mentioned in the section on detention.

E. Attacks on schools and hospitals

49. A total of 235 incidents of attacks on schools and hospitals were verified. Lack of access to conflict-affected regions hampered the verification of reported incidents. While data on attacks on schools and hospitals, their military use and arrests of teachers on security grounds are normally accounted for separately, the country task force on monitoring and reporting was unable to provide disaggregated data, given the extended reporting period. The numbers presented therefore also include cases of military use of schools and hospitals and arrests of teachers on security grounds.

50. Thirty-three per cent of a total of 195 incidents of attacks on schools were verified in 2012 (66), with a downward trend in 2013 (54) and 2014 (18). The numbers increased again in 2015 (24) and 2016 (33). The first six months of 2016 saw a dramatic increase in incidents, exceeding those verified for the entire years of 2014 and 2015. Al-Shabaab was responsible for over half the total of cases (112), followed by the Somali National Army (60), unknown armed elements (15), AMISOM (4), Ahl al-Sunna wal-Jama'a (2), Galmudug Interim Administration forces (1) and the Kenyan Defence Forces (1). Cases concerning the Somali National Army involved the military use of schools and the arrest of teachers on security grounds.

51. Schools were destroyed and looted during confrontations between parties to the conflict. Education personnel were threatened, killed and detained. For instance, on 25 February 2016, one madrasa was destroyed in Caga Dhiig village, Banadir region, after being hit by Al-Shabaab mortar shells targeting the presidential palace. Three boys were killed and two boys and a girl were maimed.

52. In addition, Al-Shabaab disrupted the learning of hundreds of children and distributed jihadist booklets. For example, on 27 October 2014, Al-Shabaab elements raided a Koranic school in Aadan Yabaal district, Shabelle Dhexe region, and gave a lecture, which disrupted the learning of 125 students. As mentioned above, Al-Shabaab also used schools for recruitment.

53. Schools were also used for military purposes. For instance, in November 2015, the Somali National Army used two primary schools in Diinsoor town, Bay region, believed to be attended by 500 children. One of the primary schools was still being used by the Somali National Army at the time of writing.

54. Between 2012 and 2016, 40 incidents of attacks on hospitals were verified. They comprised cases of damage to clinics and health-care centres during fighting, looting of medical supplies and equipment and military use of hospitals. While 30 per cent of incidents were verified in 2012 (12), a downward trend was noted in 2013 (11), 2014 (5) and 2015 (5). The numbers spiked during the first six months of 2016 (seven), exceeding those verified in 2014 and 2015, respectively. Al-Shabaab was responsible for nearly half the cases (16), followed by unknown armed elements (14), the Somali National Army (7) and AMISOM (3). In one incident on 23 December 2015, Somali National Army forces looted all the medicine from a

mother and child health-care facility in Garas Weyne town, Bakool region. In another incident, on 16 March 2016, Afmadow hospital was partially destroyed in crossfire when Al-Shabaab attacked a police camp.

55. Seven attacks on schools and hospitals and military use were attributed to AMISOM, namely, one in 2012, two in 2014, two in 2015 and two in 2016. For instance, on 2 October 2014, a madrasa was destroyed in Ceel Garas town following heavy shelling by AMISOM forces targeting Al-Shabaab. In one of the cases of military use, AMISOM forces used Ceel Adde secondary school, in Gedo region, for six days from 20 January 2016 after their base was attacked by Al-Shabaab. Attacks on hospitals by AMISOM in 2015 involved the looting of medicine. For example, on 1 August 2015, AMISOM troops looted all the medicines from the Huda pharmacy in Ceel Laheley village, Galguduud region, leading to its closure.

56. As mentioned in the section on killing and maiming, a Koranic school was struck when the Kenyan Defence Forces operating outside of AMISOM command conducted an air strike against Jungal village, Baardheere district, Gedo region, on 21 July 2015. Six boys died and 12 others were seriously injured as a result of the air strike.

F. Abductions

57. Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama'a (2).

58. Abductions were used primarily as a tactic for recruitment, with a spike in 2015 corresponding to the launch of Operation Juba Corridor. For instance, on 14 July 2015, while playing and watching football, 13 boys aged between 14 and 17 were abducted by Al-Shabaab in Aadan Yabaal town, Shabelle Dhexe region. Several of the children captured in March 2016 by the Puntland authorities reported that they had been abducted by Al-Shabaab in southern and central Somalia and brought to Puntland by boat. In an incident involving the Somali National Army, on 28 February 2016, a 16-year-old boy was abducted from a football field by Somali National Army forces in Maganey village, Gedo region and taken to Mogadishu for training. On 8 June, three boys aged between 15 and 16 years were abducted by Somali National Army forces from a madrasa in War Dhujiiley village, Bakool region and taken for military training to a camp in Rab Dhuure town.

59. Abductions were also linked to rape, sexual violence and forced marriage.

G. Denial of humanitarian access

60. The country task force on monitoring and reporting verified 76 incidents of denial of humanitarian access, affecting the delivery of assistance to children. Humanitarian access was particularly challenging throughout 2012, with the number of incidents being more than double the number (31) in each of the following years (10 incidents in 2013, 15 in 2014 and 12 in 2015). Eight cases were verified in the

first half of 2016. The majority of incidents were perpetrated by the Somali National Army (24), Al-Shabaab (24) and unknown armed elements (24), followed by Ahl al-Sunna wal-Jama'a, Puntland, Galmudug Interim Administration and Interim Jubba Administration forces (1 each).

61. Humanitarian access was seriously restricted by ongoing military operations and a highly volatile security environment. In addition, Al-Shabaab blockades on supply routes and in strategic towns, obstructive "regulation" and taxation by federal and regional government officials and the politicization of aid were key challenges impeding humanitarian access (see S/2015/801). In an incident on 23 June 2016, Somali National Army soldiers opened fire at a food distribution site in Wajer, Banadir region, after they were informed that only identified recipients were entitled to receive food. At least five children were injured.

62. Humanitarian personnel were killed, physically threatened and kidnapped. For example, in 2015, 17 humanitarian personnel were killed, including 4 UNICEF staff killed in a suicide attack by Al-Shabaab on 20 April 2015 in Garoowe, Puntland.

IV. Progress in addressing grave violations against children

A. Progress in the legislative framework

63. During the reporting period, the Federal Government of Somalia strengthened its legislative framework to protect children. For example, in the Provisional Federal Constitution, a child is defined as a person below 18 years of age. While at the time of writing, child recruitment and use had not yet been criminalized, article 29 of the Provisional Federal Constitution contained specific provisions for the protection of children affected by armed conflict, including the right of children not to be used in armed conflict. It also stipulated that children may be detained only as a measure of last resort, for a limited period of time and in appropriate conditions. Those provisions had yet to be implemented.

64. Following advocacy by the United Nations, Somalia ratified the Convention on the Rights of the Child in October 2015. Earlier, in March 2014, the country ratified the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), which includes provisions on child recruitment in armed conflict. The United Nations also continued to advocate for the ratification of the Optional Protocol to the Convention on the Rights of the Child related to the involvement of children in armed conflict. In October 2015, Somalia endorsed the Safe Schools Declaration.

65. Notwithstanding the progress made, Somalia's international obligations under the Convention on the Rights of the Child have not yet been domesticated. Legal ambiguities persist regarding the definition of a child between the Provisional Federal Constitution and the regional constitution of Puntland, which defines a child as anyone below the age of 15, in contravention of the Provisional Federal Constitution and the Convention on the Rights of the Child. That has led to children being detained in Puntland, sometimes together with adults, and sentenced to heavy penalties, in some cases to death, for their alleged association with Al-Shabaab.

B. Adoption and implementation of two action plans

66. Following the visit of my former Special Representative for Children and Armed Conflict to Somalia in November 2011, the Transitional Federal Government signed an action plan to end and prevent child recruitment and use by the Somali National Army on 3 July 2012. On 6 August 2012, a second action plan was signed to halt the killing and maiming of children by the Somali National Army. The Federal Government of Somalia subsequently endorsed the two action plans.

67. As mentioned earlier, the Federal Government of Somalia adopted standard operating procedures for the reception and handover of children separated from armed groups in Somalia in February 2014. On 27 May 2014, the Ministry of Defence established a child protection unit at its headquarters to coordinate activities developed within the framework of the action plans and mainstream child protection in the Somali National Army. Moreover, in 2016, the Somali National Army Deputy Chief of the Defence Forces issued a general staff order on the Army's recruitment policy stating that an individual must be at least 18 years old to enlist. While those measures were positive steps, a high number of children continued to be recruited, used, killed and maimed by the Somali National Army and no disciplinary or judicial actions have been taken against perpetrators.

68. In collaboration with the European Training Mission for Somalia and AMISOM, the country task force on monitoring and reporting trained more than 9,500 SNA soldiers on child protection. Child protection training was also delivered to 2,045 AMISOM commanders and officers.

69. A mobile screening unit, set up in 2014 and comprising the United Nations, AMISOM, the European Union Training Mission for Somalia and the Somali National Army, screened 4,278 Somali National Army members and 200 police officers. On 8 June 2015, the mobile screening unit inspected 1,096 militiamen drawn primarily from Interim Jubba Administration forces for integration into the Somali National Army in Kismaayo. Thirty-six children were detected and referred to UNICEF. However, a sustainable mechanism to ensure systematic inspections of units remains to be established.

70. During the period under review, 4,260 children (3,328 boys; 932 girls) benefited from United Nations-supported community-based reintegration services, including psychosocial assistance, back-to-school support programmes and vocational training.

71. Notwithstanding the progress achieved, significant gaps remain and efforts need to be sustained to fully implement the two action plans, including the criminalization of child recruitment and use, the issuance of command orders prohibiting and sanctioning child recruitment and use and other grave violations and the systematic screening of troops. The lack of accountability for violations of child rights and widespread impunity also need to be addressed.

C. Advocacy

72. The United Nations systematically advocated with the parties to the conflict to end and prevent grave violations. Somalia is one of the countries concerned by the

"Children, Not Soldiers" campaign launched in March 2014 by my Special Representative for Children and Armed Conflict and UNICEF with the aim of ending and preventing the recruitment and use of children by Government forces in conflict by 2016.

73. During her visit to Somalia in August 2014, my Special Representative for Children and Armed Conflict noted with concern the situation of 55 children held at the Serendi Centre and called for their immediate transfer to United Nations-supported reintegration programmes. Following sustained advocacy by my Special Representative and the country task force on monitoring and reporting, 64 children were handed over in September 2015 to a local child protection partner in Mogadishu.

74. Engagement by the country task force on monitoring and reporting also resulted in 15 children identified at the Hiil-Walaal centre in Beledweyne, Hiraan, and 43 children captured by the Galmudug Interim Administration forces in March 2016 being handed over in November 2015 and May 2016, respectively, to a local child protection partner for reintegration purposes. One boy was handed over to his mother in Gaalkacyo.

75. In parallel, the country task force on monitoring and reporting spearheaded discussions with the Puntland authorities on children captured by their forces in March 2016 and detained for alleged association with Al-Shabaab. After receiving access, the task force provisionally identified 66 children. Twelve of them were sentenced to death by a military court on 16 June 2016 and transferred to Boosaaso, where they were held together with adults. The final age assessment determined that of those 12 children, 3 were over 18 years of age, including 1 who will nevertheless be considered as a child owing to mental disability.

76. During her second visit in July 2016, my Special Representative for Children and Armed Conflict met with the children detained in Puntland. She exhorted the Puntland authorities not to execute the children, to overturn the death penalty and to facilitate their reintegration and family reunification. She urged federal and regional authorities to swiftly resolve existing legal ambiguities on the definition of a child and domesticate the country's international obligations under the Convention on the Rights of the Child. The Puntland authorities assured that children below age 18 would not be executed. My Special Representative for Somalia and the UNICEF Representative for Somalia expressed the same concerns in their engagements with the President of Puntland. I have personally appealed to the President of the Federal Republic of Somalia and stressed that children suspected of association with Al-Shabaab are primarily victims and should be treated as such. While 28 children, aged between 15 to 17 years, were sentenced on 17 September 2016 by a military court in Garoowe to 10 to 20 years of imprisonment, Puntland authorities agreed to the release of 26 other children, aged between 12 and 14 years. On 5 October 2016, the children were handed over to a local partner in Mogadishu for their reintegration. At the time of writing, there had been no progress on the revocation of the death penalty or on the fate of the children who received heavy sentences.

77. My Special Representative for Children and Armed Conflict met on several occasions with the African Union and the AMISOM leadership to raise concerns about grave violations. She urged AMISOM to investigate reports and allegations and ensure accountability for perpetrators. She called on them to take measures to

prevent future violations and fully implement the 2014 Force Commander directive on the protection of children's rights during and after operations. My Special Representative advocated that AMISOM should systematically alert the country task force on monitoring and reporting whenever its forces capture and hand children over to the Somali National Army and the National Intelligence and Security Agency.

V. Observations and recommendations

78. I am deeply troubled by the scale and nature of grave violations against children in Somalia and their increase since 2015. I am particularly alarmed by the extent of the recruitment and use and abductions by Al-Shabaab and, in particular, that children may represent a large part of the group's forces. I urge all parties to the conflict to immediately halt grave violations, prevent future ones and abide by international humanitarian and human rights law.

79. I am encouraged by the efforts of the Federal Government of Somalia to implement the two action plans signed in 2012 and strongly urge them to accelerate their implementation, including through the criminalization of child recruitment and use, the issuance of command orders prohibiting and sanctioning recruitment and other violations and the systematization of troop screenings. I call upon the donor community to support the timely and effective implementation of the action plans, including by making funding available.

80. I welcome the ratification by Somalia of the Convention on the Rights of the Child, a decisive step towards a stronger national legal framework, and strongly encourage the ratification of the Optional Protocol relating to the involvement of children in armed conflict. I urge federal and regional authorities to swiftly domesticate the country's international obligations under the Convention and resolve existing legal ambiguities in respect of the definition of a child.

81. I am deeply concerned at the unacceptably high number of children killed and maimed, including in joint Somali National Army/AMISOM operations and in air strikes by parties operating bilaterally in Somalia. I urge all parties to the conflict to uphold their obligations under international law, put in place measures to minimize the effect of armed conflict on civilians, especially children, and ensure accountability.

82. I urge Somalia and international partners to ensure that all disarmament, demobilization and reintegration programmes and security sector reforms take into account the rights, specific needs and protection of children affected by armed conflict and that existing vetting mechanisms are strengthened. The release and reintegration of children must respect due process, be in line with international law and standards and prioritize options that uphold the best interests of the child. I call upon Member States and the donor community to support the release and reintegration of children while exercising due diligence.

83. I welcome the release and handover to child protection actors of children detained in the Serendi and Hiil-Walaal centres and of children captured in Galmudug. I am deeply disturbed, however, by the scale and nature of the detention of children on national security charges in violation of applicable international law

and the standard operating procedures for the reception and handover of children separated from armed groups. I am extremely worried by the absence of clear criteria designating the classification of children captured or arrested into categories and the lack of oversight of National Intelligence and Security Agency procedure in that regard. I thus urge the Federal Government of Somalia to ensure greater transparency and due process and to provide information to the United Nations about the fate of children labelled as "high-risk" and to prevent further harm to them.

84. I am also alarmed by the use of detention as a tactic to run intelligence operations and counter-terrorism activities with children used as spies. Not only are children put in immediate danger, but their reintegration is also compromised. I am encouraged by the willingness of the Federal Government to address that particularly abhorrent issue and I urge them to treat children associated with armed groups primarily as victims, with the best interests of the child and international protection standards as guiding principles.

85. I welcome that, on 5 October 2016, 26 of 64 children detained for their alleged association with Al-Shabaab were released by the Puntland authorities and handed over to the United Nations. I am deeply concerned, however, that children were sentenced to death or to heavy sentences for their alleged association with Al-Shabaab. I urge the Puntland authorities to revoke the death penalty and the sentences, swiftly facilitate the children's release and continue to work with the United Nations and the donor community to support reintegration programmes and reunification with their families.

86. Widespread impunity for grave violations against children is of grave concern, and I urge the Federal Government of Somalia to swiftly address the lack of accountability, including through the investigation and prosecution of perpetrators of grave violations against children. I call upon the donor community to provide technical and financial support to the efforts of the Federal Government to strengthen its judicial and rule of law institutions.

87. I pay tribute to AMISOM and the Somali security forces for their efforts and sacrifices. I urge AMISOM and the African Union to investigate reports and allegations of grave violations against children by their troops and ensure accountability for perpetrators. In that regard, I underline the importance of the full implementation of the human rights due diligence policy in regard to support to AMISOM. Furthermore, I invite AMISOM to fully implement the Force Commander directive on the protection of children's rights and to comply with the aforementioned standard operating procedures signed by the Federal Government of Somalia. I call upon AMISOM to systematically alert the United Nations whenever its forces capture and hand children over to the Somali National Army and the National Intelligence and Security Agency to enable adequate follow-up on the situation of those children and ensure their protection.